

THE NATION

They flew for the CIA, but not really

Ex-Air America crews are trying to gain recognition — and pensions.

By GREG MILLER
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WASHINGTON — In 1961, Sam Jordan had just finished a six-year stint flying helicopters in the Marine Corps when he saw a want ad for an upstart airline called Air America.

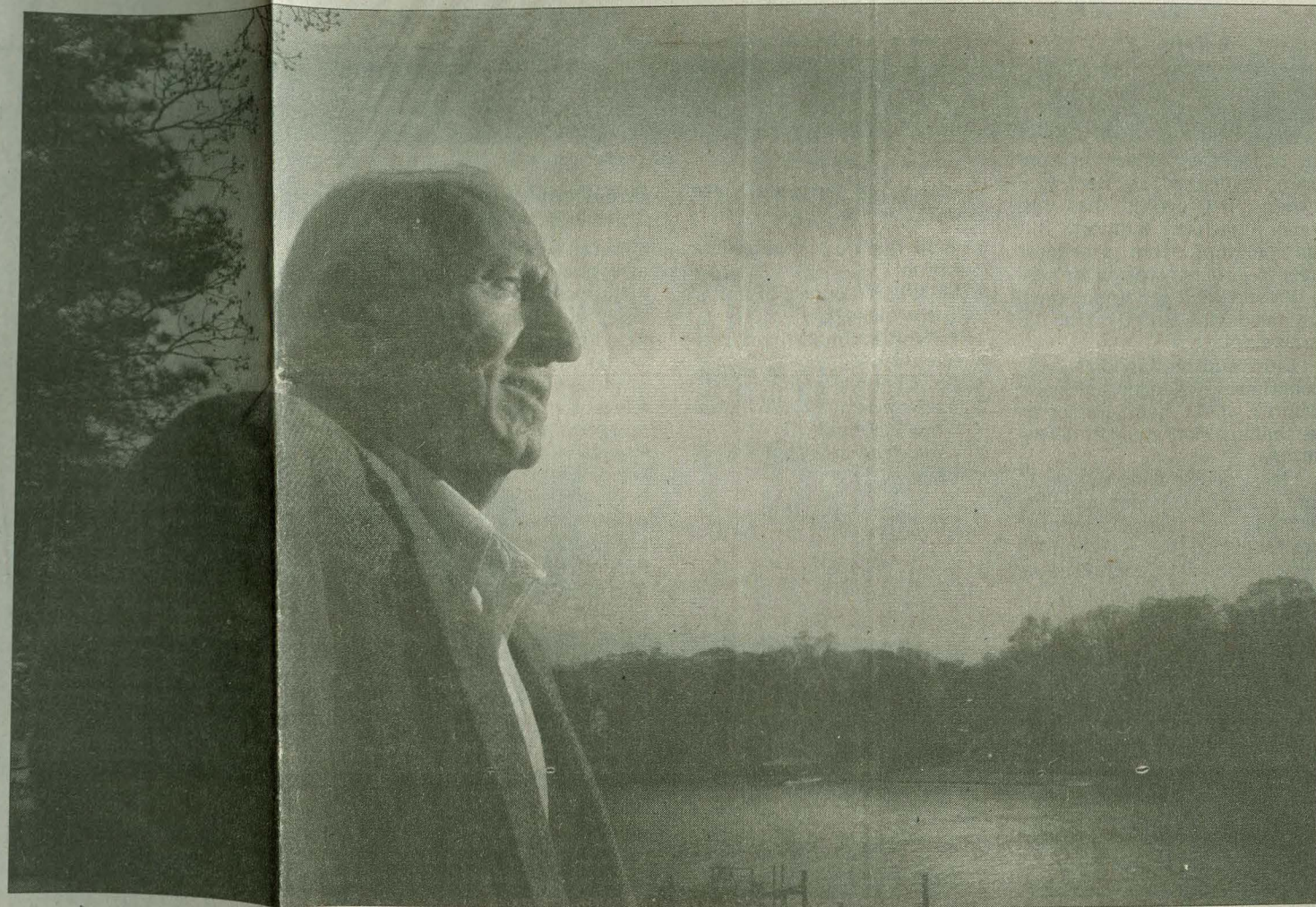
"They said they wanted pilots," he recalled. "They didn't say anything about where the flying would be."

Within months, Jordan was

important missions but were never officially brought into the agency.

The distinction is important to the agency, where contractors now outnumber the official workforce. Officials fear that granting CIA status to Air America retirees would open the gates to thousands of similar claims.

Until recently, the Air America effort had seemed futile. A lawsuit filed in the 1980s was tossed out, and efforts to enlist



WAITING: Roy Watts, 83, a former pilot for the CIA-owned Air America, said he thought he would be entitled to as much as \$500,000 in back retirement and disability pay. For decades, the airline played a key role in U.S. clandestine operations in Southeast Asia.

JAY PAUL For The Times

quarters, never even got a government paycheck.

Nevertheless, those leading the effort point to government

rulings in its efforts to persuade lawmakers to drop their pursuit of Air America legislation. But in some ways, it has been an awkward

flying helicopters in Laos, carrying medical equipment and other supplies to refugees in remote mountain villages. In subsequent years, he flew airplanes along the Ho Chi Minh Trail, scanning for radio signals from the ground and dropping provisions from the sky.

He and other pilots developed code words for their cargo: "Soft rice" meant food and "hard rice" meant arms.

In 14 years working for Air America, Jordan was never formally told who was footing the bill for his often-harrowing flights. But he and the other Air America pilots knew. They called their mystery client "the customer," Jordan said.

"And the CIA was always the customer."

Few Americans know it, but Air America is embedded in some of the most iconic images of the Vietnam War. In the famous photo of the evacuation of the U.S. Embassy in Saigon, the helicopters lifting stranded diplomats off the rooftop belonged not to the military but to Air America.

The company was shut down after the fall of Saigon in 1975, and the U.S. government subsequently acknowledged that Air America was a wholly owned subsidiary of the CIA.

But more than 30 years later, the government is still grappling with where that leaves Air America's former employees. They worked for Air America, but does that mean they worked for the CIA?

Jordan and hundreds of other Air America pilots, mechanics, executives and workers have spent the last two decades battling to win recognition as CIA employees — or at least federal employees — a designation that would entitle them to pensions and other benefits.

The CIA has fought the effort, arguing that Air America employees were hired to take part in

help from members of Congress never got off the ground. But recent developments in Washington have given Air America workers new hope.

When Democrats won control of Congress in the fall, Sen. Harry Reid (D-Nev.) became Senate majority leader. Reid's state is home to some of the most vocal Air America retirees, and he has used his position to push legislation that would require the nation's top spy officials to take another look at the Air America case.

Though the legislation has yet to pass, the director of national intelligence — a position created after the Sept. 11 attacks to oversee all 16 U.S. spy agencies — has launched a review of whether Air America employees should win their claim and how much it would cost the government if they did.

A legendary role

It's hard to imagine that any other group of CIA contractors would get such consideration. But Air America occupies a legendary position in the annals of U.S. espionage.

For nearly three decades, Air America and its CIA sibling, Civil Air Transport, served as the circulatory system for clandestine U.S. operations in Southeast Asia. They moved supplies, weapons and spies across the treacherous terrain of China, Vietnam and Laos.

The CIA's air fleet was as large as those of major commercial airlines at the time. At their peak in the mid-1960s, the CIA "proprietary" employed more than 15,000 people — most of them foreign nationals — and operated about 200 planes.

Pilots often had to fly without navigation systems, elude enemy fire, and land on tiny airstrips cut into the sides of mountains. At the same time, as part of its cover, the CIA operated a successful commercial airline, offer-



IN THE 1950s: Watts helped deliver supplies to French forces pinned down by North Vietnamese troops in Dien Bien Phu in 1954.

ing regular passenger service on flights to Bangkok, Tokyo and other destinations.

For 10 years, Air America supplied a secret army in Laos that pinned down tens of thousands of communist guerrillas who otherwise would have joined the fighting in Vietnam. And by the time Air America was dismantled, more than 230 of its pilots and crew members had been killed.

A plaque honoring Air America hangs in the main corridor at CIA headquarters. During the dedication ceremony, Jim Glerum, who had been one of the top CIA officers in Laos in the 1970s, gave a speech in which he got to the heart of the debate.

Air America crews "were not CIA employees in the technical/legal sense of that word," said Glerum, who went on to serve as head of personnel at the agency. "Yet we routinely asked them to undertake missions that we could not conduct ourselves, and to accept hardship and hazards we have only rarely asked our own people to face."

Air America traces its origin to 1946, when U.S. Army Gen.

Claire Chennault signed a contract with the Chinese government to create a new airline. When the communist revolution forced the nationalist government to flee to Taiwan, Chennault's airline became a key supply link to loyalist villages on the mainland.

It was the start of a clandestine anti-communist campaign spearheaded by the CIA that would carry on for the next quarter-century.

There are about 500 former Air America and Civil Air Transport employees living in the United States, ranging in age from the 50s into the 90s. They keep in touch through a website, a newsletter and occasional reunions, including one in Dallas in October that drew about 40 former pilots and crew members.

For most of them, the effort to win CIA status is not a consuming cause. After 20 years of trying, few expect to see any money. And most acknowledge the tenuous nature of their claim. They never had any official connection to the agency — never signed an employment contract, never got sworn in at agency head-

regulations dating to the 1930s that they say support their contention that working for a government-owned corporation makes you a federal employee. They also consider it an issue of fairness, arguing that they deserve special consideration from Congress because of what they did for their country.

There is no reliable estimate of what it would cost the government to retroactively grant the former workers retirement benefits. And expectations vary among those pressing the claim.

Jordan, 75, figures he would stand to collect about \$1,000 a month. "I don't think it would be very much," he said. "I'm not going to jump off a cliff if I don't get it."

Hazardous duty

Others think their stakes are greater.

Roy Watts, 83, who was one of the first Air America pilots, said he thought he would be entitled to as much as half a million dollars in back retirement and disability pay.

In 1954, Watts took part in perhaps the most storied moment in Air America history, when he and two dozen other pilots made hundreds of desperate deliveries to French forces pinned down by North Vietnamese troops in Dien Bien Phu. Despite 682 airdrops of artillery and other supplies, the communists crushed the French in a battle that marked the end of colonial rule.

Watts and six other surviving pilots were awarded the French Legion of Honor for their flights.

In a 1987 ruling, a federal appeals court said Watts hadn't met several basic requirements of being a federal employee: He had never signed a contract with the government, was never given an oath of office, and therefore was never "appointed" to the civil service.

The CIA has relied on such

ward fight for the agency, which doesn't want to be seen as callous.

CIA spokesman Paul Gimiigliano said the agency honored the pilots and crew members. "The courts, however, have ruled that they were not federal employees and thus are not eligible for federal retirement benefits," he said.

CIA officials also emphasized that Air America did not short-change employees on the pay and benefits they were promised when they went to work for the company.

During Air America's heyday, the pay wasn't bad. Pilots typically got \$1,200 or more each month, tax free. And if the benefits weren't federal-government-caliber, the company did offer retirement accounts. Most employees contributed a small percentage of their paychecks and cashed out when they quit.

By the early 1970s, the CIA's secret air empire wasn't so secret anymore. Amid growing scrutiny from Congress and the media, CIA Director Richard Helms decided to shut it down.

As Saigon fell, Jordan and other pilots ferried as many planes as they could out of Vietnam.

The aircraft, airfields and other property were subsequently sold off, leaving \$25 million for the CIA to return to the U.S. Treasury.

The pilots and other crew members were summoned to the company's offices in Hong Kong.

"They gave us what we had coming and an airline ticket and that was it, that was the end," said Jordan, who is almost ambivalent about the prospect of getting a boost in retirement pay 30 years later.

"It would be nice, of course," he said. "It would make my old age a little more comfortable. But I'll survive."

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