

111TH CONGRESS  
1ST SESSION

# H. R. 2577

To require the Director of National Intelligence to submit a report to Congress on retirement benefits for former employees of Air America, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 21, 2009

Ms. BERKLEY introduced the following bill; which was referred to the Select Committee on Intelligence (Permanent Select)

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## A BILL

To require the Director of National Intelligence to submit a report to Congress on retirement benefits for former employees of Air America, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Air America Veterans  
5 Act of 2009”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) AIR AMERICA.—The term “Air America”  
9 means Air America, Incorporated.

1           (2) ASSOCIATED COMPANY.—The term “associ-  
2       ated company” means any entity associated with,  
3       predecessor to, or subsidiary to Air America, includ-  
4       ing Air Asia Company Limited, CAT Incorporated,  
5       Civil Air Transport Company Limited, and the Pa-  
6       cific Division of Southern Air Transport during the  
7       period when such an entity was owned and con-  
8       trolled by the United States Government.

9       **SEC. 3. REPORT ON RETIREMENT BENEFITS FOR FORMER**  
10                                   **EMPLOYEES OF AIR AMERICA.**

11       (a) IN GENERAL.—Not later than 180 days after the  
12       date of the enactment of this Act, the Director of National  
13       Intelligence shall submit to Congress a report on the ad-  
14       visability of providing Federal retirement benefits to  
15       United States citizens for the service of such citizens prior  
16       to 1977 as employees of Air America or an associated  
17       company during a period when Air America or the associ-  
18       ated company was owned or controlled by the United  
19       States Government and operated or managed by the Cen-  
20       tral Intelligence Agency.

21       (b) REPORT ELEMENTS.—The report required by  
22       subsection (a) shall include the following:

23           (1) The history of Air America and the associ-  
24       ated companies prior to 1977, including a descrip-  
25       tion of—

1 (A) the relationship between Air America  
2 and the associated companies and the Central  
3 Intelligence Agency or any other element of the  
4 United States Government;

5 (B) the workforce of Air America and the  
6 associated companies;

7 (C) the missions performed by Air Amer-  
8 ica, the associated companies, and their employ-  
9 ees for the United States; and

10 (D) the casualties suffered by employees of  
11 Air America and the associated companies in  
12 the course of their employment.

13 (2) A description of—

14 (A) the retirement benefits contracted for  
15 or promised to the employees of Air America  
16 and the associated companies prior to 1977;

17 (B) the contributions made by such em-  
18 ployees for such benefits;

19 (C) the retirement benefits actually paid  
20 such employees;

21 (D) the entitlement of such employees to  
22 the payment of future retirement benefits; and

23 (E) the likelihood that such employees will  
24 receive any future retirement benefits.

25 (3) An assessment of the difference between—

1 (A) the retirement benefits that former  
2 employees of Air America and the associated  
3 companies have received or will receive by virtue  
4 of their employment with Air America and the  
5 associated companies; and

6 (B) the retirement benefits that such em-  
7 ployees would have received or be eligible to re-  
8 ceive if such employment was deemed to be em-  
9 ployment by the United States Government and  
10 their service during such employment was cred-  
11 ited as Federal service for the purpose of Fed-  
12 eral retirement benefits.

13 (4)(A) Any recommendations regarding the ad-  
14 visability of legislative action to treat such employ-  
15 ment as Federal service for the purpose of Federal  
16 retirement benefits in light of the relationship be-  
17 tween Air America and the associated companies  
18 and the United States Government and the services  
19 and sacrifices of such employees to and for the  
20 United States.

21 (B) If legislative action is considered advisable  
22 under subparagraph (A), a proposal for such action  
23 and an assessment of its costs.

24 (5) The opinions of the Director of the Central  
25 Intelligence Agency, if any, on any matters covered

1 by the report that the Director of the Central Intel-  
2 ligence Agency considers appropriate.

3 (c) ASSISTANCE OF COMPTROLLER GENERAL.—The  
4 Comptroller General of the United States shall, upon the  
5 request of the Director of National Intelligence and in a  
6 manner consistent with the protection of classified infor-  
7 mation, assist the Director in the preparation of the report  
8 required by subsection (a).

9 (d) FORM.—The report required by subsection (a)  
10 shall be submitted in unclassified form, but may include  
11 a classified annex.

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