

MEMORANDUM

TO : SLC

DATE: May 29, 1967

FROM : CEC

REF. No. PND-CEC-67/2399

SUBJECT: Summary of Status B-150 Internees and C. B. Nabung

Reference: (1) SLC-65-295 - copy attached
(2) WC-65-4893 - copy attached

The attached referenced correspondence outlines the payment status through April 30, 1965 of the B-150 accident survivors who were captured and interned by the Pathet Lao since 5 September 1963.

As of the present payment accruals for Mr. DeBruin have been terminated as the full amount of benefits designated by the Personnel Manual - \$20,000 - have been reached. While no longer a contributor to the Air America Retirement Plan, Mr. DeBruin is still a participant in that earnings from his own and Company contributions are still being generated.

Mr. Pisidhi Indradat was most fortunately released from captivity when the prison camp at which he was interned was overrun by friendly forces in December 1966. Payments to his mother in the form of detention benefits have therefore ceased and he has returned to the regular payroll. Total payments made while he was interned amounted to B134,437.50.

Payments to the beneficiaries of Y. C. To continue unbroken at the rate of \$112.00 monthly to each of his beneficiaries. These payments will continue through September 1967 as a result of approval of a special grant of \$2,600.00 over and above the \$13,000.00 maximum benefit provided in the Personnel Manual.

Payments to beneficiaries of Mr. Prasidhi Thane and Prasit Promsuwan continue as stated in attached correspondence and will continue until 30 September 1971 at the monthly rate of \$86.44 .

The BEC Form 202's were submitted for Y. C. To, Pisidhi Indradat, Prasit Promsuwan, and ~~Pisidhi~~ Thane under cover of WC-65-2092 dated April 6, 1965 and for Eugene H. DeBruin in June 1964. The BEC case numbers are 5000004 for E. H. DeBruin, 5000005 for Y. C. To, 5000006 for Prasit Promsuwan, 5000007 for Pisidhi Indradat, and 5000008 for Prasidhi Thane.

Reference 1 above indicated that it was the opinion of SLC at that time that the pricing of AID-439-342 Contract would preclude reimbursement to the Company of benefits under the War Hazards Compensation Act. However, it seems an open question as to whether or not the individuals concerned might rate benefits under the WHCA.

Mr. C. B. Nabung was captured on 16 December 1960 while hiding in an air raid shelter nearby his house in Vientiane. A fellow Filipino employee Mr. L. M. Frigillana was captured with him. Frigillana became separated from Mr. Nabung early in their period of internment and was released in 1962 with three other American prisoners. Mr. Nabung has never been heard from again and along with the survivors of the B150 incident are presumed to be either still in captivity or dead.

At the time of his capture Mr. Nabung was working in aircraft maintenance in VTE. The major contracts at that time are understood to have been ICA Contracts 57-060, 57-08, and 60-009.

BEC Forms 202 and 219 have been submitted by the Company under cover of LC-66-180 dated 4 June 1966 and BEC Forms 203, 218, and 220 were submitted by Mrs. Nabung shortly thereafter. Mrs. Nabung received an answer from the BEC in a letter from John D. McLellan Jr. dated 29 July 1966 (BEC Case No. 5000019) in which it was stated that Mrs. Nabung could not receive benefits as she resides outside the United States and its territories but that should Mr. Nabung die before his release she should write to the BEC to find out whether or not she may receive compensation payments under the War Hazards Compensation Act.

In response to the Company's inquiry the BEC advised that they had developed no guidelines or standards of its own for making a presumption of death, but if a Department or Agency of the United States reports to the BEC in accordance with 20C.F.R.bl.7(d) and states its conclusion on the status of a captured or missing employee of a contractor, the BEC will accept that conclusion (taken from WC-66-5979 dated 21 November 1966).

DP has raised the question of the propriety of the Company initiating any action to effect a presumption of death for Mr. Nabung as Mrs. Nabung might not concur with such action.

James W. Sweitzer

Encls.

cc: File
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