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CIA Agent, 2 Flyers**China to Release
Last U.S. Prisoners**

AP Wirephoto

JOHN DOWNEY
CIA agent held 21 years

**White House Says
Three Captives Are
Getting Out Next Week***Washington Post Service*

Washington

The White House announced yesterday that the last American prisoners held in China will be released next week.

The announcement said that in response to a special message from President Nixon, Premier Chou En-lai had informed him on Monday China will release former CIA agent John Thomas Downey, held in prison since 1952.

Chou also told the President that on Thursday China will release Air Force Major Philip E. Smith, held since 1965, and Navy Lieutenant Commander Robert J. Flynn, held since 1967.

White House press secretary Ronald L. Ziegler said at a news conference that Mr. Nixon learned Wednesday evening that Downey's mother was ill in New Britain, Conn., and asked that this information be communicated to the Chinese premier. She was reported to be in serious condition after having suffered a stroke Wednesday.

Peking's action was interpreted here as another sign of China's interest in improved relations with the U.S.

CHARGE

Peking had charged that Downey flew secret missions to drop supplies to agents in Manchuria. It also charged that he trained spies who were parachuted into Manchuria during the Korean war.

"The government of the People's Republic of China has informed the President that it has decided to commute John Downey's term and release him on March 12," Ziegler said.

Chou also informed the President in the same message that Flynn and Smith would be released Thursday. All will be released at the Chinese border with Hong Kong.

"President Nixon wants to

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express his personal appreciation to the government of the People's Republic of China for this action," Ziegler said.

KISSINGER

When national security adviser Henry A. Kissinger returned from his visit to Peking last month he announced the Chinese, "as a sign of good will," informed him they would release Smith and Flynn "within the same time frame as our withdrawal from Vietnam," in other words by March 28.

Chou asked him to inform the President that the Chinese penal code "provided for the periodic review of the sentences of prisoners and that this provision would be applied in the case of John Downey," on the basis of good behavior, Kissinger said.

Ziegler said "We have been told that the behavior of Mr. Downey has been exemplary and that his case would be reviewed in the second half of this year."

SHOT

During the Korean war, Downey and Richard Fecteau were shot down and captured by the Chinese. Fecteau was sentenced to 20 years and Downey was sentenced for life. They were charged with espionage. Fecteau was released a little over a year ago when his sentence was up.

They were described at the time of their capture as Army civilian employees but, this year, president Nixon acknowledged that Downey was a CIA agent. It was believed that this public acknowledgment helped speed his release.

Downey, who will be 43 next month, is a native of Wallingford, Conn. He disappeared in a plane in late 1952. No word of his fate was received until November, 1954, when Peking announced that he had been sentenced to life in prison.

He has been visited in



UPI Telephoto

MARY DOWNEY
Chou knew she's sick

prison by his mother and other members of his family. He is a nephew of singer Morton Downey.

TONKIN

Smith, 36, a native of Roadhouse, Ill., was taken prisoner after his jet was shot down near Hainan island in the Gulf of Tonkin of Sept. 20, 1965.

Since then, his father and only sister have died, and his wife, Judith, has obtained a divorce and remarried. They had three children.

Flynn, 35, a native of Houston, Minn., was shot down over Kwangai province when his plane strayed over the Chinese-Vietnam border in bad weather. His wife, Mary, lives in Colorado Springs, Colo., with their two children, Elizabeth, 9, and Robby, 6.

From NYTimes, 10 Mar 73, China file: At a news conference on Jan. 31 [filed Nix Ad 1 Feb 73], Mr. Nixon said Mr. Downey's release was more difficult to obtain than the two other prisoners because Mr. Downey had been a C.I.A. agent. It was the first time that the United States had admitted that Mr. Downey was a spy.