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Description of document: Central Intelligence Agency (CIA internal history document: Missing In Action - People And Policies 1948-1973, Volumes I and II by James J. White, December 1974

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Washington, D.C. 20505  
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December 16, 2022

Reference: F-2023-00034

Dear Requester:

This letter is a final response to your 30 September 2022 Freedom of Information Act (FOIA) request for **a copy of the CIA internal history document: MISSING IN ACTION. This report is circa 1972-1973.** We processed your request in accordance with the FOIA (5 U.S.C. § 552, as amended, and the CIA Information Act, 50 U.S.C. § 3141, as amended).

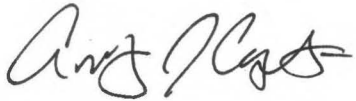
We completed a thorough search for records responsive to your request and located the enclosed two documents that are releasable in segregable form with deletions made on the basis of FOIA exemptions (b)(1), (b)(3), and/or (b)(6). Exemption (b)(3) pertains to information exempt from disclosure by statute. The relevant statutes are Section 6 of the Central Intelligence Agency Act of 1949, as amended, and Section 102A(i)(1) of the National Security Act of 1947, as amended.

As the CIA Information and Privacy Coordinator, I am the CIA official responsible for this determination. You have the right to appeal this response to the Agency Release Panel, in my care, within 90 days from the date of this letter. Please explain the basis for your appeal.

Please be advised that you may also seek dispute-resolution services from the CIA FOIA Public Liaison or from the Office of Government Information Services (OGIS) of the National Archives and Records Administration. OGIS offers mediation services to help resolve disputes between FOIA requesters and Federal agencies.

To contact <b>CIA</b> directly with questions or to appeal the CIA's response to the Agency Release Panel:	To contact the <b>Office of Government Information Services (OGIS)</b> for mediation or with questions:
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Sincerely,

A handwritten signature in black ink, appearing to read "Anthony J. Capito". The signature is fluid and cursive, with the first name "Anthony" and last name "Capito" clearly distinguishable.

Anthony J. Capito  
Information and Privacy Coordinator

Enclosures

~~Secret~~

~~GIA Internal Use Only~~  
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CIA History Staff  
and DDA



MISSING IN ACTION - PEOPLE AND POLICIES

1948 - 1973

VOLUME I

*by*

*James J. White*

~~Secret~~

DDA OP 13  
December 1974

PERMANENT HISTORICAL DOCUMENT  
DO NOT DESTROY



## WARNING

This document contains information affecting the national defense of the United States, within the meaning of Title 18, sections 793 and 794, of the US Code, as amended. Its transmission or revelation of its contents to or receipt by an unauthorized person is prohibited by law.



**WARNING NOTICE**  
**SENSITIVE INTELLIGENCE SOURCES**  
**AND METHODS INVOLVED**

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*Access Controlled by CIA History Staff and DDA*

MISSING IN ACTION - PEOPLE AND POLICIES

1948 - 1973

VOLUME I


*by*

*James J. White*

Approved:

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(b)(3)

  
Fred W. M. Janney  
Director of Personnel  
Directorate of  
Administration

*Copies:*

- #1 - CIA-HS
- #2 - DDA

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~~SECRET~~Foreword

*Missing in Action* is a legal category defined by Federal statute to be, "any person who is in active service, and who is officially determined to be absent in a status of missing, missing in action, interned in a neutral country, captured by an enemy, beleaguered or besieged." Although work on this history was begun in the fall of 1971, the present author did not participate until March 1973, just prior to the release of John Downey by the Chinese Communists 12 March 1973

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The avalanche of publicity resulting from the Downey release created a diversion of sizeable proportions since most of the background and feature

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stories proved to be highly inaccurate, repeating every misconception, distortion, and conjecture that had occurred over the years.

Another consequence was that the return and debriefing of the prisoners created the rare opportunity to write history in reverse, a temptation which, in the author's view, had to be resisted lest the purpose of writing the history be subverted; namely, to state the events and describe the actions taken, or not taken, on the basis of information in the hands of the decision makers at the time.

[Redacted]

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The author was able to make much use of the documentary research

[Redacted]

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Among those interviewed were [Redacted]

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[Redacted] and Ben DeFelice, OP; Paul F. Gaynor, OS:

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[redacted] formerly TSD. Unfortunately,  
Harlan Westrell, OS, [redacted]  
had retired and was not available for interview. [redacted]

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[redacted] in DD~~0~~/East Asia Division\* in  
the 1970's, contributed an operational view of the  
Downey and Fecteau cases to the Oral History tapes.  
Many others from the operational side of the Agency,  
members of the ad hoc committee, and employees of the  
various components are mentioned throughout the history.  
Perhaps they will accept the naming in this foreword of  
William E. Nelson, currently Deputy Director for Operations,  
as representative of their concern and attention to the  
plight of the prisoners.

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At all times the human drama of the MIAs and their  
families overshadowed the administrative aspects of the  
cases recorded in this history.

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Those whose stories

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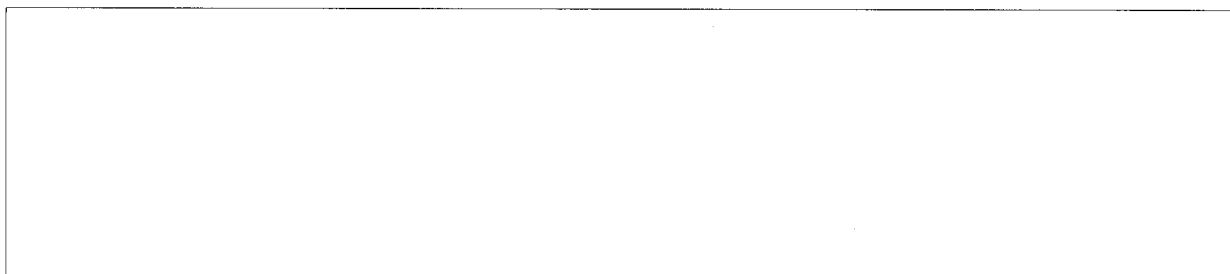
\* Prior to 1973, DDP/FE Division.

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appear in this history are listed below with their respective dates of capture and release:

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Richard G. Fecteau	29 November 1952	13 December 1971
John T. Downey	29 November 1952	12 March 1973
Francis Gary Powers	1 May 1960	10 February 1962
David L. Christ	15 September 1960	22 April 1963
Thomton J. Anderson	15 September 1960	22 April 1963
Walter E. Szuminski	15 September 1960	22 April 1963

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Outside the scope of this study, but of equal importance, are the cases of employees killed in action, and the large number of people who were accounted Missing in Action or Killed in the course of their duties with Agency proprietaries such as Civil Air Transport, Air America, and others. Their sacrifices have been without recognition and our debt to them all the greater because of that fact.

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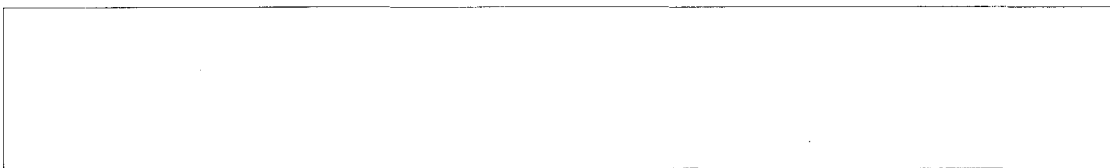
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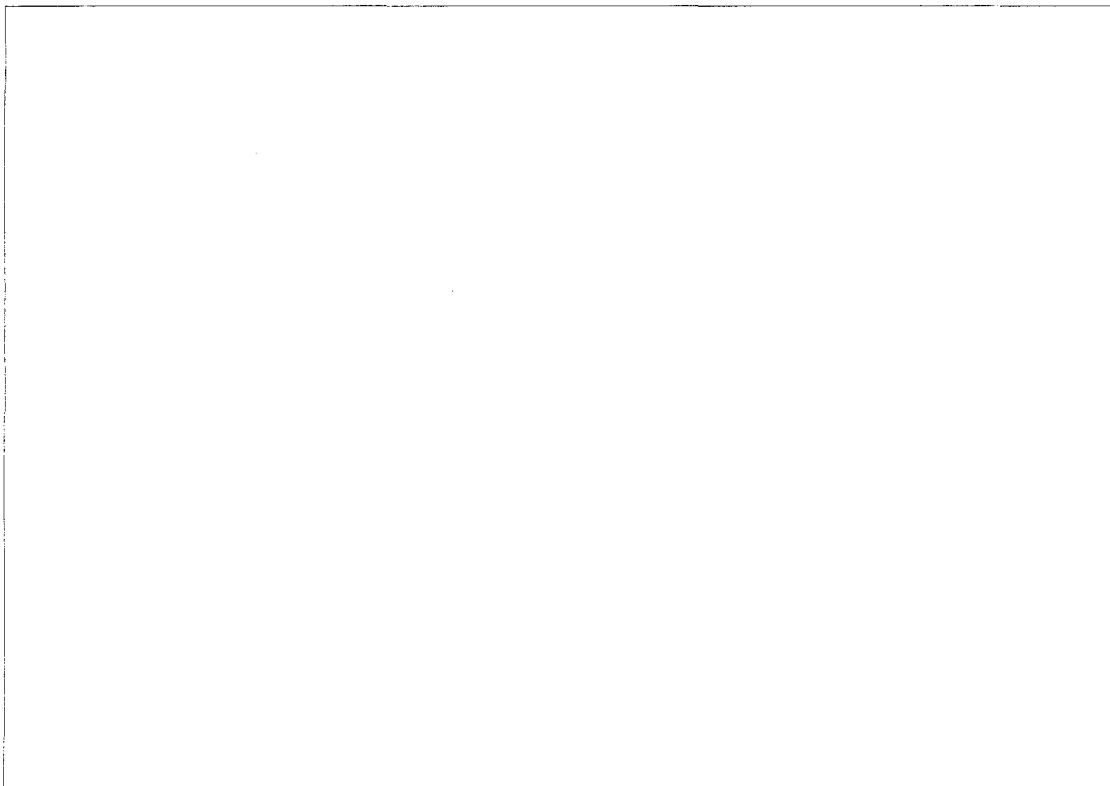
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Missing in Action - People and Policies  
1948 - 1973

Volume I

I. Events of the 1950's and Earlier

The OSS Experience in Summary

Casualty reporting was very chaotic in the Office of Strategic Services (OSS) until General Order 54, 12 June 1944, specified procedures for field mission reports to Headquarters branch chiefs. The Washington Secretariat in the Director's office\* received copies of casualty reports and, when possible, sent letters to the families or transmitted letters from the field to the families, describing the circumstances of the death or capture. Most OSS overseas personnel enjoyed, if that is the term, either genuine or ostensible military status. If unfortunate enough to be killed or captured, their cases would be channeled through OSS Headquarters service detachments to the Adjutant General of the Army

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\* Lt. Gen. William J. Donovan was the founder and Director of the World War II Office of Strategic Services, predecessor of the Central Intelligence Agency.

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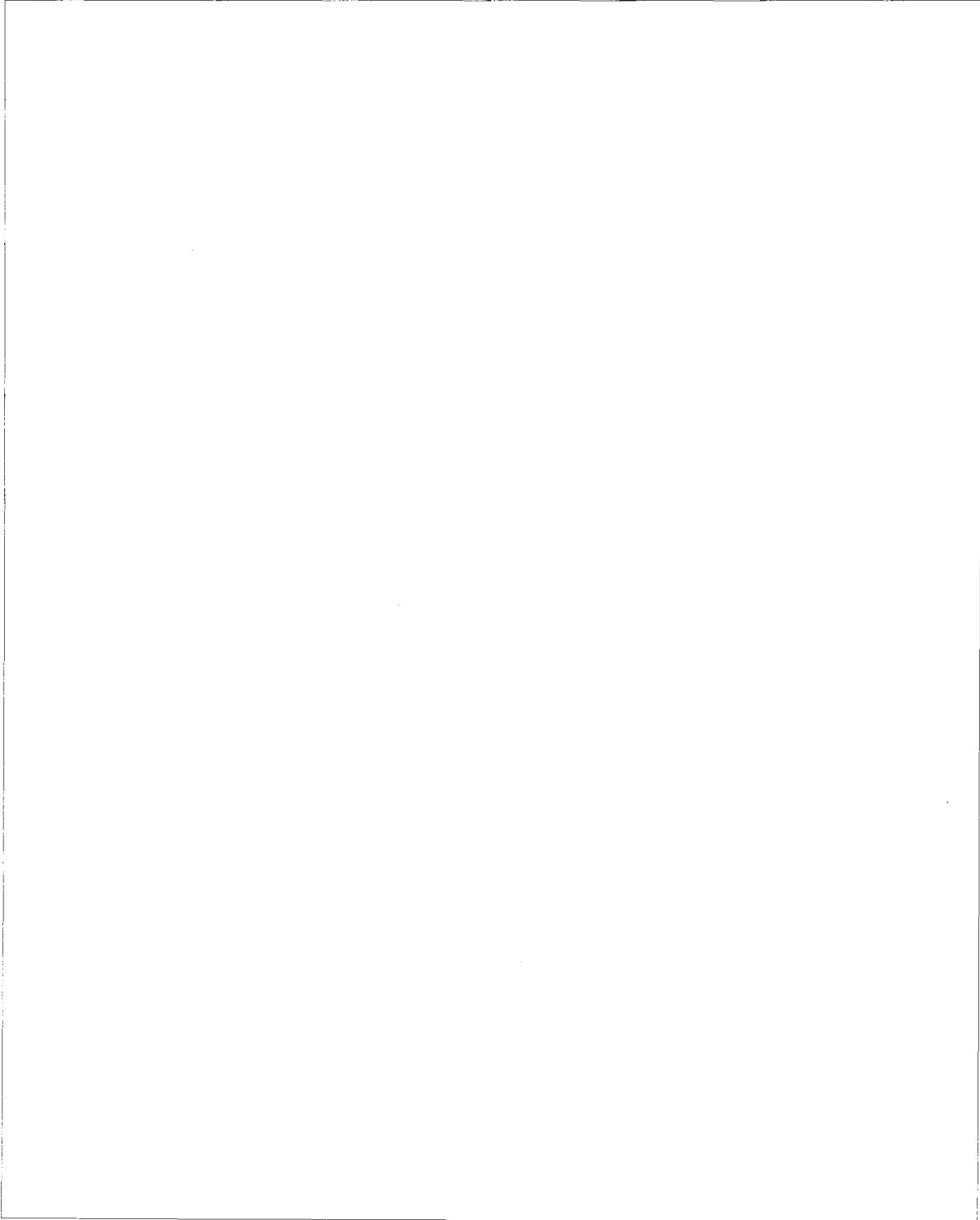
or the Chief of Naval Personnel for military processing and notification of next of kin. The few civilian cases were handled by the Special Funds Branch for the unvouchered and by the Civilian Personnel Branch for the vouchered. When necessary, the provisions of the Missing Persons Act of 1942 1/\* were invoked to continue pay and allowances. A 1973 review of OSS records showed some 300 casualties to American personnel, of whom approximately 100 were killed in action (KIA) or missing in action (MIA) and later declared dead. Italy, France, Czechoslovakia, Burma, and Indo China were the main locales for OSS casualties. 2/

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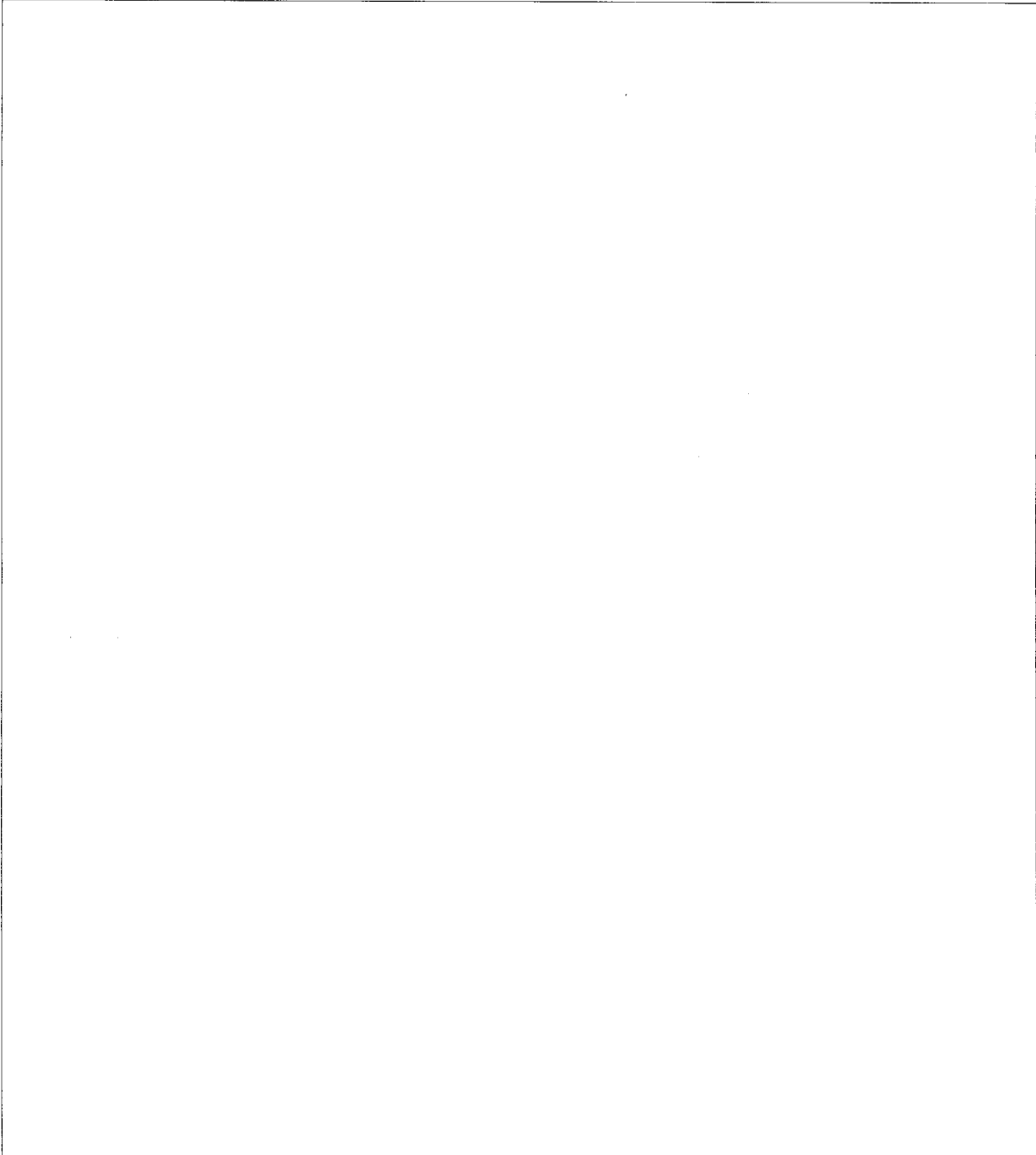


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(b)(3)World and Organization Climate of the Early 1950's

Relationships between the United States and Communist China were at a peak of bitterness and re- crimination in the early 1950's.\*\* The Communists had seized power on the mainland in 1949 and driven Chiang Kai-shek and the Nationalists across the straits of Formosa, with the US Seventh Fleet interposed between them by President Truman in 1950. By 1952 the Communists had consolidated their position by destroying

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\*\* US Senate, Committee on Foreign Relations, *The Question of Rapprochement and Recognition*, Jan 73 (93rd Congress, First Session), explores in some depth the state of relations between the two nations after the fall of China to the Communists.

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the opposition on the mainland, had dispatched forces to the aid of the North Koreans, and were vigorously claiming Formosa. Korean truce negotiations had dragged on for two years before an armistice was signed on 27 July 1953 with prisoner exchange one of the stumbling blocks. In the United States, the Eisenhower-Nixon Administration took office in January 1953 with the commitment to end the Korean War forthwith. John Foster Dulles was named Secretary of State, and Allen W. Dulles became Director of Central Intelligence.\*

Senator Joseph McCarthy was trying to convince the public that the State Department had "lost China" and that both State and CIA had been infiltrated by Communists and their sympathizers; and Senator Mike Mansfield wanted a joint Congressional watch-dog committee for the Agency. The atomic spies, Julius and Ethel Rosenberg, were executed in Sing Sing Prison on 19 July 1953.

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\* Dulles was Director of Central Intelligence from February 1953 to November 1961.

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These were the factors

-- international, national, and organizational -- which formed the background for the human drama involving two young and relatively inexperienced paramilitary officers, John Downey and Richard Fecteau.

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\* Gen. Walter Bedell Smith was Director of Central Intelligence from August 1950 to January 1953.

\*\* George E. Meloon, under several titles and superiors, was in charge of the central Personnel Office from July 1951 to March 1955.

\*\*\* Matthew Baird, Director of Training from 1951 until his retirement in 1966, was assigned responsibility for developing a career corps. He was also Acting Assistant Director for Personnel (AD/P) for four months in 1952.

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~~SECRET~~STAROMA Mission, 29 November 1952

The case which later was to cause world-wide ramifications began as a minor incident of the Korean conflict. On 29 November 1952, a C-47 aircraft of the Civil Air Transport (CAT), piloted by American civilians Norman Schwartz and Robert Snoddy, became overdue on a flight from Korea. A five-day search of the accessible land and sea area by the Far East Air Force proved fruitless and was abandoned on 5 December 1952. A very discreet statement was coordinated at Headquarters and in the field to the effect that a military contract plane was reported missing on a flight between Korea and Japan on 3 December 1952 with two CAT pilots and two Department of Army civilians. This simple cover story was maintained through thick and thin for 20 years.

Actually, the disappearance caused considerable consternation within the CIA. The flight was an ex-filtration operation set up in response to a call for help from a valued agent on the mainland of China. The Department of Army civilians (DACs) were actually Agency staff employees: John T. Downey\* of New Britain,

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\* John Thomas Downey: [redacted] entered Agency as a GS-5 Intelligence Assistant, Paramilitary, in June 1951; (footnote continued on next page)

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Connecticut, and Richard G. Fecteau\* of Lynn, Massachusetts, were two young "gung ho" paramilitary officers who had been assigned to the aircraft in place of two CAT employees originally named to fly the mission.

The background of the flight had begun on 14 July 1952 when a team of five Chinese Nationalist agents was airdropped into Kirin Province, some 50 miles north of the Yalu River. Their mission was to collect operational intelligence and, also, determine the extent of, and organize, resistance activity. The team had been

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trained at CIA installations

and dispatched from

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\* Richard George Fecteau: entered the Agency as a GS-4 Intelligence Asst., Paramilitary, in November 1951

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On 11 November 1952, a radio message from the team leader, STAROMA/6, stated that he had returned safely from a trip to Linchiang and that he had been successful in obtaining official credentials and other needed operational documents. However he also reported that exfiltration routes through Korea were blocked and it would be impossible to carry the documents out through Hong Kong. The agent requested that he be exfiltrated by air, and that supplies be dropped to the rest of the team to carry them through the winter.\* Everything seemed

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\* Subsequently, the New China News Agency (NCNA) release of 23 Nov. 1954 identified the agent as Lin Chun-ying who had been airdropped into Kirin Province to conduct liaison and subversive activities.... NCNA further explained:

The nine special agents of the Chinese Nationality who had been airdropped by Downey into Kirin and Liaoning Provinces are all former officers of the Chiang Kai-shek gang. They were taken up in 1951 by the "Free China Movement," a US espionage organization in Hong Kong, and given espionage training. They had later undergone further secret training directly under Downey. Their task was to establish "bases" for armed agents; set up safety points for sheltering agents; build "parachuting grounds" to receive airdropped supplies and agents; establish secret communication (continued on next page)

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in order so [redacted] made arrangements to carry out the requests. The operation was mounted using a sterile aircraft equipped with snatch gear enabling the aircraft to make the pick-up without landing. The original plan called for two men from CAT to operate the pick-up gear making it an all-CAT operation,\* but

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(continued from previous page) lines connecting the bases with Mukden; collect information about defense works [in China], [the location of] industrial areas, and meteorological conditions; rescue invading American airmen who were shot down; and rally Chiang Kai-shek's remnant bandits for armed riots.

Four of the Chinese tried with Downey and Fecteau received death sentences. The man to be picked up, Lin Chun-Ying, was given life imprisonment, according to NCNA.

\* Lloyd George and Al Cox writing in 1969 made these observations on the change:

There are a couple of points affecting the air support aspect of the operation that might be noted: First, the late change of assignment in the rear of the aircraft meant two Agency employees, knowledgeable of many aspects of Agency operations, including locations and personnel, were exposed to possible capture and risk of being forced to divulge such information to the ChiComs. Lewis and Stewart [the original CAT personnel assigned to the rear of the aircraft] were very good personal friends of the writer [Al Cox] but from a purely realistic Agency point of view, they offered much less of a security risk for the Agency than did Downey and Fecteau. 3/

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a few days before the mission was to take-off, [redacted]

[redacted] wary of the two CAT men not having the proper clearances, requested Jack Downey to make the flight assisted by Dick Fecteau.\* The aircraft left Seoul on the night of 29 November 1952 on schedule with the two CIA men on board and the two CAT pilots at the controls. On the morning of 30 November, [redacted] notified Headquarters that the aircraft was overdue; 4/ and the public statement was issued with the fate of the mission unknown.

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Downey and Fecteau Declared Missing in Action,  
18 December 1952

On 18 December 1952, the Personnel Director, George E. Meloon, basing his action on FE information, declared

\* Contrary to still persistent rumors in the corridors of the Agency, Fecteau and Downey were not on a joyride. As noted here, their assignment was at the direction of the [redacted] EA/Div, stated in an interview for the Oral History on 26 November 1973 that his study of the files also confirmed the official nature of the flight. (See Appendix J Tape Transcript No.36) In August 1952 Downey had made a previous over-flight with -- to use Downey's terms from the Oral History interview -- "a certain unofficial authorization." At that time, his immediate superior in the field, [redacted] had complained that he had only one jumpmaster for the mission. Downey's offer to fly the mission was accepted with the admonition, "if you are caught by our bosses, you have got to say that it was unauthorized. You just wanted to go along for the ride for fun and games." 5/ However, the November flight was fully authorized, and the ban on the use of staff employees on overflights did not come until after the loss of this mission.

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Downey and Fecteau officially "Missing in Action." In a memorandum to the Comptroller, 6/ Meloon requested that their pay and allowance be continued under the authority of the Missing Persons Act as amended, including field allowances as authorized by [REDACTED] the Confidential Funds Regulations. The employment status of the two CAT pilots, Norman Schwartz and Robert Snoddy, was judged not to be within the purview of the Missing Persons Act or of Agency regulations. Arrangements for them were left to the proprietary company. 7/\*

(b)(3)

\* In the aftermath of the Downey release in March 1973, the *Washington Evening Star-News* reported on the two pilots. "The Snoddys received a series of insurance payments over a period of two years; \$30,000 on two policies taken out by CAT with American International Underwriters, \$15,000 on the two policies written by Standard Insurance, and a \$10,000 national service policy administered by the Veterans Administration." Similar documentation, said the *Star*, is lacking in the Schwartz case but in a telephone interview with a brother, Melvin Schwartz, the reporter found out that payments totaling about \$25,000 had been received by the parents, now deceased. In a 6 March 1973 interview, [REDACTED] stated:

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There was some feeling about the decision. Some persons, I being one, were of the opinion that, if the true facts of the relationship of Snoddy and Schwartz and the airline to the Agency had been presented to the Bureau of Employee Compensation, these men also might have been entitled to benefits under the Federal Employee Compensation Act. 8/

As this account is being written immediately following Downey's release in 1973, Senator Mark Hatfield (R., Ore.) and Rep. John Dellenback (R. Ore.) are querying Secretary of State, William P. Rogers, on this very point on behalf of the pilots' survivors.

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[Redacted]

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Continuing

responsibility for these cases was lodged in FE Division but liaison with the families on the myriad personal problems that arose from these incidents devolved on the Offices of Security (OS) and Personnel (OP) and on the Legal Counsel. Harlan A. Westrell (OS) [Redacted]

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[Redacted] \*\* the Downey-Fecteau case;

[Redacted]

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\*\* [Redacted] assignment in 1952 was to the Personnel Office where he was charged with developing a compensation and casualty program, and with handling retirement cases. He is currently the Assistant Legislative Counsel for the Agency. A possible explanation for the divided handling of Missing in Action cases was given by

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[Redacted]

[Redacted]

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and [ ] represented the Legal Counsel. (b)(3)

The problems encountered in the handling of these cases caused the Office of Personnel to conduct a study which resulted in the Confidential Fund Regulation (CFR) and the issuance of a more comprehensive guide to the

handling of MIA cases. [ ] Pay and (b)(3)

Allowances for Missing Persons, was issued on 8 October 1953.

Declared Dead, 4 December 1953

From the very outset of the Downey-Fecteau disappearance, there was a strong feeling in the FE Division that both CIA men, as well as the two pilots, were dead. Reports received in late January and early February 1953 from agents who had visited the site immediately after the crash undoubtedly contributed to the impression in both field and Headquarters that all four men had perished, although the agents were unable to identify either the burned-out aircraft or the body remains they found in the forward part of the plane. 11/\* (b)(1)  
(b)(3)

\* A cable (b)(3) [ ] noted that Chou En-lai had protested a US air violation and then went on to state that "This strengthened in our view fact [ ] team reports finding plane described to closely resemble our craft." (b)(3)  
A cable of [ ] stated: "Report of agent [ ] from team [ ] on the investigation of downed aircraft found at DB 47 05 70 (footnote continued on next page) (b)(1)  
(b)(3)

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[redacted] the liaison officer for the Personnel Director, was not privy to operational cables under the policies prevailing at the time. In 1973 he stated another reason for the finding of death:

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The feeling of the China experts was that the Chinese certainly would have made whatever propaganda play they could. Therefore, there was initially a feeling that the men must have been killed in the crash or that they had been killed by the Chinese. There was very little possibility of their being alive. The attitude increased with the passage of time... on the basis of the considered judgment of all parties, a presumptive finding of death was made in November 1953 or at the expiration of the year's time (called for in the Missing Persons Act)...again with the very firm feeling on the part of the operational people that the Chinese would have given these cases some attention in the press...and in the absence of any indication of that sort, the men were dead. 12/

Accordingly, on 2 December 1953, Chief FE, George Aurell addressed the fateful memo to the Personnel Director: 13/

After thorough investigation both in Field and Headquarters, the Far East Division has reluctantly come to the conclusion that the two CIA staff employees, Mr. John Downey and Mr. Richard Fecteau, who have been carried in an MIA status are dead....It is therefore

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(footnote continued from previous page) Army Grid Map. Reported they found bodies in forward part of plane. Plane broken up quite badly. No marks or identification on bodies or plane, other than made in USA on parts."

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recommended that under the provisions of Public Law 490, 77th Congress, as amended, and Section [ ] of the CF Regulations of this Agency, the necessary steps be taken to have the referenced subjects declared dead.\*

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The Office of Personnel was assigned the task of preparing appropriate declarations of death and letters to survivors\*\* and assisting the Comptroller and General Counsel Offices in the preparation of the pertinent documents for the General Accounting Office, the Civil Service Commission, the Bureau of Employment Compensation, the Social Security Administration, and the private insurance companies. The finding of death presumably ended the security risk to the two men and, accordingly, the declaration and letters were prepared in the name of the Central Intelligence Agency, their official employer, and signed by the Acting Director

\* The procedure by which the Chief/FE originated the request for personnel action was determined by the informal group called together by the Personnel Director. It became normal procedure in the MIA cases. This group included: Robert Bannerman, Deputy Director of Security; [ ] FE Division; [ ], C/Emp-ServDiv/OP; [ ] Ins/Claims Br/OP; and [ ] Acting Personnel Director, who presided.

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\*\* See Appendix D Finding of Death of Missing Person.

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of Personnel, [redacted] \* Happy to be relieved (b)(3)  
of the administration burden, FE Division gave its full  
blessing to the assumption by [redacted] OP, (b)(3)  
and [redacted] OGC, of the responsibility  
for the preparation and delivery of documents to Govern- (b)(3)  
ment and private agencies and for the contact with  
families, lawyers, and banks.

Victims Personal Circumstances, December 1953

The families and personal affairs of Downey, (b)(1)  
Fecteau, [redacted] be- (b)(3)  
came of prime importance to the Agency in December 1953  
from a security, legal, and humanitarian standpoint.

[redacted] (b)(3)

\* [redacted] a long-time personnel official of the Agency, (b)(3)  
was Executive Officer of Office of Personnel from February  
1954 to February 1957.

\*\* The Agency, as well as the US Government, was to hear  
in no uncertain terms from this indomitable woman as she  
waged, well within security limits, a 15-year struggle  
for her son's release. The struggle involved four Presi-  
dents, several Secretaries of State, Senators, Congress-  
men, the Catholic Church, and the United Nations. As  
this account is being written, Mrs. Mary Downey's grave  
illness and stroke, together with President Nixon's per-  
sonal intervention with Premier Chou En-lai, has brought  
her son's release. (footnote continued on next page)



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It was to these people and

(footnote continued from previous page) Under these sad circumstances, Mrs. Downey was reunited with her son on 12 March 1973. Unfortunately it is not possible in an administrative history to do justice to her story or that of the other parents and relatives of Agency employees who had to suffer in silence under particularly grueling and cruel conditions.

\* The initials WAEPWA now (1973) stand for World Wide Assurance for Employees of Government Agencies. In 1953, they stood for War Agencies Employees Protective Association.

\*\* [ ] stated on 6 March 1973:

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The Fecteau's were simple, wonderful family people, who lived on a low income. Mr. Fecteau had worked for the General Electric Company in Lynn. He felt that what his boy was doing was important to US security, that he (Mr. Fecteau) would do nothing to jeopardize the relationship, that the best thing to do was to keep their mouths shut and follow instructions.

[ ] had the impression that Dick Fecteau had fairly well schooled his parents (footnote continued on next page)

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these companies, in addition to the Government agencies mentioned, that the declarations and letters carrying the CIA legend were directed.

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liaison with the Downey-Fecteau families had several purposes: the necessity of opening a channel of communication between the Agency and the families, the humanitarian purpose of assisting the families in obtaining every lawful benefit to which they were entitled,

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(footnote continued from previous page) that he was in sensitive work, that this was something that he was doing because he wanted to do it, and that they should accept it on those terms. 14/

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and to establish a measure of control in the interest of the security of the Agency.

Bombshells: September and November 1954

The demanding task of notification and liaison following the presumptive findings of death of Downey and Fecteau stretched well into 1954 with the insurance settlements the major problem as described by [redacted] (b)(3)

One of the main reasons for the issuance of the findings of death in these cases was to effect settlement of the various benefits, principally the insurance policies on the two men's lives...the cases were rather novel as far as payments for persons who were not in a military status.... The insurance companies had some experience in military cases but very little if any with civilians. Several were reluctant to act (but did so) on the initiative of [redacted] (b)(6)

[redacted] which was the first to decide to go ahead and make payment. Throughout we felt that our actions and decisions in these cases were proper, were good decisions based on the considered judgment of people who had good knowledge of the Chinese approach, their philosophy and so forth. 15/

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On 23 November 1954, one year after they had been declared dead by the Agency and two years after capture, Peking really "pulled the plug" on the US Government by announcing to the world that Downey and Fecteau were in custody, having been tried, convicted, and sentenced for espionage. Downey received life imprisonment and Fecteau was sentenced to twenty years. Announced simultaneously was the sentencing of eleven airmen, the officers and crew of a Far East Air Force (FEAF) B-29 reconnaissance aircraft, shot down over China some weeks after Downey and Fecteau.\*

The press release stated in part:

The other espionage case involved John Thomas Downey (alias Jack Donovan), 24, born in Connecticut, and Richard George Fecteau, 27, born in Massachusetts, both special agents of the Central Intelligence Agency, a US espionage organization.

Downey and Fecteau worked with the Atsuki, [sic] Japan, espionage organization of the US Central Intelligence Agency. In the spring of 1952, Downey selected special agents of Chinese nationality and organized them into two teams -- "Team Wen" and "Team Shen" -- which were

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\* The airmen, also referred to as the Arnold Group, included Col. John K. Arnold, Jr., USAF, who received a 10-year sentence; William Hurl Baumer, eight years; Capt. Eugene John Vaadi, six years; Elmer Fred Llewellyn and Wallace Lamer Brown, five years; John Woodrow Burck, Howard William Brown, Steven Edward Kiba, Harry Martin Benjamin, Jr., John Walker Thompson, and Daniel Chris Schmidt, four years.

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later airdropped in Kirin and Liaoning Provinces in China. In October 1952 Downey had Li Chun-ying, another agent, airdropped into Kirin Province to conduct liaison and subversive activities, and in August 1952 him himself [sic] stole into China to drop supplies for "Team Wen."

Downey and Fecteau were both captured on the night of November 29, 1952, when they entered Northeast China in a US plane, made contact with and provided supplies to airdropped agents and attempted to pick up Li Chun-ying who was to report. Their plane was shot down.

The sentences passed by the Military Tribunal of the Supreme Peoples Court on the American spies are as follows: John Thomas Downey, life imprisonment; Richard George Fecteau, 20 years imprisonment.\* 18/

\* According to [redacted] in the 6 March 1973 interview previously cited:

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The apparent reason for the difference in the sentences of these two men was that Downey had been an instructor and very much involved in the training of indigenous teams and this information must have come out either through information extracted from Downey during the course of his interrogation or information which the Chinese may have picked up from other sources. In any event, the Chinese were aware of the fact that Downey was a much more involved and influential person in the situation than Fecteau was.

[redacted] who handled the cases for EA/Div in the 1970's, confirmed this interpretation of the different sentences in the 26 November 1973 interview for the Oral History. [redacted] further stated that there is no substance whatsoever to the persistent rumor around the Agency that Fecteau had gotten a lesser sentence because he had talked! (footnote continued on next page)

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The Peking announcement came like a bombshell to the Agency and the families.\* There were many urgent tasks to perform and decisions to be made if the news-cast from Peking was valid. In 1954 the propaganda battle between the two nations was at a peak with the Communists accusing the United States of germ warfare and showing posters of bugs crawling around Korea, supposedly dropped by US aircraft. Most of the exchange was crude and not very creditable, given the attitude of suspicion and distrust that prevailed at that time. In this instance, however, facts in the announcement that could only have been learned from the individuals and the feeling that the "ChiComs," as they were then called,

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(footnote continued from previous page) The author's personal interviews with both Fecteau and Downey support the views of Messrs. [ ] and [ ] (See Appendix J for all tape transcripts referenced in this note.)

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\* The Agency learned the news from an FBIS intercept of a Peking New China News Agency Broadcast in English Morse to Southeast Asia, Europe, and North America, 1640 hours, 23 November 1954. In 1971 *The New Britain Herald*, Downey's hometown newspaper, claimed that it had picked up the story and broken the news to the public:

By this time (23 Nov 1954) even the Associated Press had lost track of the name Downey. But it was spotted by the *Herald* city desk and a reporter (Henry Keezing) was sent to Mrs. Downey's home to ask about it. The terms of the imprisonment became known at that time. 19/

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would not have opened this matter to world view unless they could produce live bodies led to the decision by a Headquarters group, convened by Richard M. Bissell, Jr.,\* that continued insistence that Downey and Fecteau were dead would be futile. Accordingly, the legal status of Downey and Fecteau was changed to "Missing in Action," which had the effect of canceling the former finding but did not involve the Agency in affirming that they were alive. The cover story would be continued as being in the best interests of the individuals and the US Government. For 20 years there would be no deviation from that story.\*\*

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\* Bissell subsequently became Special Assistant to the DCI for Planning and Development in April 1958 and served as Deputy Director for Plans (DDP) from 1958 to 1962, resigning as of 17 February 1962. The Bissell group consisted of the General Counsel (Houston), AD/Pers (Reynolds), Dir/Sec (Edwards), Chief/FE (Aurell), and [redacted] for Central Cover. (b)(3)

\*\* The first official acknowledgment that Downey was a CIA employee was made by President Nixon at the very last minute of a press conference on 31 January 1973. Some people outside the government, including Jerome A. Cohen, Downey's Yale classmate who became a scholar of Chinese law, have suggested that, had the US Government acknowledged culpability and apologized, Downey might have been released earlier; and, indeed, this approach was suggested some years later by [redacted] C/FE/2. On the other hand, acknowledgment early in the game might have caused the execution of the two men, or at least led to a propaganda bonanza and extreme embarrassment to the United States without helping the two individuals. In any event, the Agency and the USG held the line for two decades. (b)(3)

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Having made the decision, a first essential was to backstop with the Department of Defense the cover story that Downey and Fecteau were Department of Army civilians traveling as passengers on the flight of a military contract aircraft between Korea and Japan, since it was DOD that would catch the heat from the US press.\* Simultaneously, it was necessary to begin unwinding the many personnel administrative actions with respect to other Government agencies, the insurance companies, banks, and families that had consumed most of 1954. Complicating both courses of action was the previous release of information in the name of the Central Intelligence Agency such as the Declarations of Death which bore the signature of Agency officials and the letters of condolence from the Director of Central Intelligence to the next of kin. At least eighteen persons outside the Government were aware of the connection of Downey and/or Fecteau with the Agency. In addition to the families, the eighteen included top officials of three insurance companies and two banks, several lawyers, and in one case

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the executor of an estate. Each was in a position to furnish confirmation of the Communist news release. As an indication of how seriously Americans regarded security considerations at the time, no leak of information corroborating the true status of Downey and Fecteau occurred during the ensuing years, although the insurance companies were allowed to retain the Declaration of Death in their files and some of the DCI's letters of condolence never were recovered.

From the standpoint of security and finances, the most immediate concern was the life insurance claims that had been paid by the private insurance companies -- Equitable (WAEP), New York Life, and Metropolitan Life -- to survivors. Under heavy time pressure, a policy statement was developed by the Bissell Group and approved by the DCI on 3 December 1954. 20/

Beneficiaries should be advised that, since the declaration of death has been reversed, they have no equitable basis for retaining death benefits received under insurance policies and should be encouraged to offer some sort of settlement within the limits of their means to the insurance companies. Nevertheless, the Agency should not attempt to bring pressure on them, especially where hardship would result, since it is the responsibility of the insurance company to determine what action, if any, it will take regarding recovery.\* In thus pursuing

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a relatively neutral course, the Agency would be following the precedent set by the Armed Forces. 21/

The Assistant Director for Personnel, Harrison G. Reynolds, was assigned the responsibility for contacting the insurance companies and Government agencies and, in effect, retracing the steps taken in the notification of death the previous year. The Office of the General Counsel (OGC) was to assist OP in its approach to the private and public agencies. The initial objective as described in 1973 by  was to ascertain the position of the insurance companies, to impress on them the sensitivity of the cases in view of the US Government position that the men were Department of the Army civilians on a legitimate flight from Korea to Japan, and to dissuade them from any action which would involve publicity, pending the Agency's negotiations with the beneficiaries.

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When word of China's action in announcing that Downey and Fecteau were alive and had

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been sentenced was received, our first reaction was to get to the people who were in possession of the certificates of death to button up these cases to avoid any publicity about their CIA status, or confirmation of that status which had been revealed by the Chinese. [redacted] of OGC and I immediately paid visits to the insurance companies, in some cases speaking with the general counsel, in some cases speaking with the vice-presidents in charge of claims asking that they take the records and all files of papers on the cases and put them in their direct custody in locked safes to assure that confirmation of the Agency employment of these two men would not be made public. I must say in this connection that certainly it was an encouraging and rather heart warming experience to find these people outside the stream of official Washington being totally cooperative even to the point of placing their own reputations in some jeopardy if the situation became difficult in their own company. As far as I am aware these files are still kept in locked safes in the insurance companies and in several banks that were involved with the accounts of these men. 22/

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It was decided that the Agency would make no offer or gesture toward the assumption of responsibility for repayment of funds to the companies. If, when the views of both parties -- that is, family and company -- had been ascertained and it appeared that a beneficiary refused or was unable to offer a settlement which the insurance company was willing to accept, then the Agency would consider making up the difference [redacted] (b)(1), (b)(3)

[redacted] These were the procedures on which the liaison with the private agencies, the Bureau of Employment

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Compensation, and the Civil Service Commission were subsequently conducted. They proved to be entirely successful from a security standpoint and eventually from a financial standpoint.

What about the families? The whipsawing of emotions caused by the Communist announcement was very severe.\* Despite the frenzied activity behind the scenes in Washington and the field, there was no visible sign that the Agency was doing anything. It was a tense situation from a security as well as an administrative standpoint. Security risks both to the government and to the men made it imperative that there be no breach between the families and the Agency; an emotional explosion could negate the cover story and other arrangements and had to be avoided at all costs. That this did not occur is a tribute first and foremost to the parents, their fortitude and devotion to sons and country; and secondarily to the thoughtful, patient liaison conducted by Agency representatives with the families during the ensuing years.

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Other administrative actions taken in early December 1954 included the establishment of a Table of Organization [redacted], grade and salary undetermined, to be administered by the Office of Personnel and to which the Comptroller would allot such funds as required for the period during which the individuals were carried in an MIA status. 24/ [redacted]

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The change of status for Downey and Fecteau from dead to missing was made effective as of 5 December 1953, the day following the date of the previous declaration of death. Allotments in effect at that time and such other allotments as deemed necessary by the Assistant Director of Personnel (AD/P) were authorized and the AD/P assumed the fiduciary responsibility for the prisoners.

#### The Ad Hoc Committee in the 1950's

As early as June 1953, the FE Division requested the Director to name a representative, preferably from Personnel or Security, to handle support aspects of the Downey-Fecteau case while it continued liaison with the State Department and the Pentagon and handled the

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operational aspects. The suggestion was not accepted. Instead the FE/Div was told to name a committee to coordinate prisoner affairs, and the ad hoc committee came into existence consisting of representatives of FE, Security, Personnel and Technical Services Staff (TSS).\* After the 1954 announcement that Downey and Fecteau were alive and imprisoned, the ad hoc committee function became one of preparing plans for the evacuation and evaluation of the men, should they be released. This activity was accelerated in 1955 after the United States and China had made an Agreed Announcement on civilian prisoners of the Korean war, which unfortunately did not affect Downey and Fecteau.

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and concentrated on release efforts, promotions, relations with the families, visits to China, and mail.

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\* William E. Nelson, [redacted] later Chief/FE, and currently, Deputy Director of Operations, was the first chairman. Other early members were Harlan Westrell, OS; [redacted], OP; [redacted] (b)(3) [redacted] OGC; [redacted] FE; [redacted] FE; and [redacted] TSS. Ben DeFelice joined the committee in 1957 and became chairman in 1958. (For further activity of this committee, see p. 44, below.)

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In 1958 the Director approved the recommendation of the DDP that the responsibility for CIA-connected Americans in jail in Communist China be turned over to the Director of Personnel. 25/

Official Efforts to Gain Release, 1954-1959

The Chinese Communists in their 23 November 1954 announcement made no distinction between the 11 military personnel and the two civilians, labeling all of them spies convicted of the serious crime of jeopardizing the security of China. The first reaction in the US Government was instinctive and angry. Various retaliatory measures of a military nature, including naval blockade of China, were considered and soon rejected, in some measure because of the doubtful legal position of the United States with respect to the prisoners and to the difficulty of unilateral action by US Forces serving under the United Nations Command.\* Attention turned almost immediately to other methods of obtaining the prisoners' release, with the most obvious course leading to the United Nations. The decision to take the case to

\*  CINCPAC had recommended against retaliatory action, including blockade, since "ChiComs may have good case in international court against some of these people." 26/

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the UN led to the separation of the uniformed personnel, for whom prisoner-of-war status could possibly be established, from the civilians -- a Hobson's choice if ever there was one. Before it was made at higher levels in the US Government, there were serious differences between the Agency and the Department of Defense and, to a lesser degree, the Department of State, at least at the second-echelon level. The separation led to great personal bitterness on the part of the Downey family who felt, rightly or wrongly, that it cost their son his freedom, a sentiment that was shared by many people in the Agency. Congressman (later Senator) Dodd of Connecticut wrote the DCI about it.

I am disturbed and distressed by official statements from Washington concerning the release of eleven members of the military establishment. Mrs. Downey came to my house in a very upset condition to find out the reason for this distinction between her son and the boys who are in uniform. 27/

Frank Wisner,\* the Deputy Director for Plans (DDP), felt very strongly that release efforts should include

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\* Wisner was Assistant Director for Policy Coordination (AD/PC) from September 1948 until that Office was absorbed by the DDP in 1951. He was designated DDP in July 1951 and served in the post until December 1958. After extended sick leave, he returned to the Agency in a special capacity until his resignation in August 1962. He died in October 1965.

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both uniformed and civilian personnel on the grounds that all US personnel in a military theater were the responsibility of the US military commander. 28/ At the civilian policy level in the DOD -- especially among the "new" people -- there were qualms about the whole subject of unconventional warfare on the China mainland, which, said Wisner, had the effect of jettisoning our civilians. 29/ The Agency Senior Represent-

ative [redacted] who had very properly notified and (b)(1)  
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cleared the STAROMA mission with the Commander, US Far East Air Force (General Smart), also took the position that the status of the CIA men was no different than that of the military. He was informed by cable of some of the

difficulties: (b)(1)  
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26 November 1954: Senior Representative [redacted] from Director: Consequence of Chi Com sentencing of 13 viewed with extreme seriousness and various retaliatory actions considered including blockade. Problem complicated by somewhat different legal status of Downey and Fecteau from uniformed personnel in Air Force plane. So far no distinction made in any authorized press statement.

\* The post of Senior Representative was established in 1950 by General Bedell Smith when he was DCI. The concept was that since the DDP headquarters and field organization was based on geographical divisions and paralleled State Department's organization, the Senior Representative's jurisdiction would correspond to that of the US theater commander. He reported directly to the DCI in Washington.

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Whether it will prove wise and practical to maintain this position is not yet clear. 30/

On 29 November 1954 the DCI in a briefing at the White House described the STAROMA mission in some detail, stating in part:

It is clear from the Peiping Radio that the survivors of both this flight and of the Arnold flight [redacted]

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[redacted] have disclosed substantially complete information regarding the respective flights, their previous training and affiliations. The stories attributed to them have, of course, overtones of Communist propaganda, but many of the details attributed to the occupants of these two planes are accurate.... The stories attributed to Downey and Fecteau are particularly accurate since in view of the nature of their mission, this fitted in with Communist propaganda objectives. In the case of the Arnold mission, the Peiping Radio has added many touches which are not accurate to give it an espionage angle and to tie this flight with CIA...the practice of using American personnel on overflights of hostile territory was discontinued by CIA about two years ago, shortly after this incident. 31/

On 4 December 1954 the United States protested in the General Assembly of the UN the detention and sentencing of the officers and crew of the B-29 aircraft of the US Far East Air Force while engaged in a UN Command mission. 32/ The decision to take the military cases directly to the UN had the effect of separating the status of Downey and

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Fecteau from that of the flyers.\* The rationale was cabled to the Sen/Rep [ ] on the same date by the Director:

Problems of holding line regarding common action in respect to Downey-Fecteau and uniformed fliers presented many serious difficulties particularly as it became necessary to raise issue at UN level. If same line adopted for uniformed and civilian personnel then was real likelihood that net result would be only to prejudice prisoner of war status of former without helping our boys. 33/

After 4 December 1954, release efforts focused on the civilian status of Downey and Fecteau with the DOD assuming no responsibility for the CIA men who were ostensibly under Army cover. The Agency was largely on its own in the Councils of Government as shown in the correspondence and cable excerpts.

6 December 1954: In a memo to the DCI, the DDP stated very strongly that all prisoners held by the Chinese Communists should be considered together. "There is no reason to feel," Wisner said, "that the eleven air-men were different to Downey and Fecteau. All US personnel in a military theater are

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\* The facts in the case, and the thrust of the 29 November 1954 White House briefing probably made the outcome inevitable, although the actual decision was made at the highest levels in the US Government. Acting Personnel Director [ ] told Mrs. Downey that President Eisenhower had decided to place the case of the eleven military flyers before the UN. 34/

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subject to military authority and the Department of Defense has an obligation to so act." 35/

7 December 1954: Director from Senior/Rep [ ] While realizing necessity for separation, it is essential that USG coincident with the separation of civilian from military make strongest appropriate statement from highest level on behalf of the civilians possibly pursuing line grouping D-F with large list of other civilians either imprisoned or unable to achieve exit. Course indicated necessary to offset increased pressure on D-F if success achieved in freeing military personnel. 36/

(b)(1)

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10 December 1954: Memo from the DDP to the Chief/FE describing change of position of Russians at UN. That the 11 airmen were not spies but only dropping agents. The DDP felt the same case could be made for Downey and Fecteau. 37/

On 10 December, the UN Assembly by resolution condemned the detention of the US airmen and instructed Secretary General Dag Hammarskjold to seek their release. Within the US Government, the DDP pressed on with his efforts in behalf of Downey and Fecteau directing them now to State and maintaining vigorously that even as civilians both men were subject to the US theater commander,\* and were on a mission in support of the UN Command. 38/

What if the cases had not been separated? There were those in the Agency who believed that the linking

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\* Commander in Chief, Pacific (CINCPAC).

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of the CIA men to the far stronger legal case of the uniformed airmen would have forced the hand of the Chinese Communists. 39/ On the other hand it is entirely possible that the cases would have been separated anyway by the Chinese Communist leaders despite their contention that all of the men were spies subject to Chinese criminal law rather than prisoners of war under international law. In any event, it was very convenient to have the Americans separate the cases for them, and no one will ever know what might have been the outcome had another course of action been taken by the US Government or what political concession the Chinese Communists would have exacted for their release. At the time, all they wanted was the US Seventh Fleet withdrawn from the Formosa Straits, US withdrawal from Korea, the withdrawal of US support for the Nationalist China group on Taiwan, and diplomatic recognition of the People's Republic of China (PRC) by the United States.

On 14 December 1954 Assistant Secretary of State Walter P. McConaughy prepared, with the assistance of Messrs. Wisner of CIA and Godell of DOD, a document entitled "Suggested Paragraph for Inclusion in Briefing Book of Secretary General Hammarskjold." 40/\* The

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\* The suggested (footnote continued on next page)

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document was conveyed to the Secretary General [redacted]

[redacted] In it the position was taken by the US Government that the civilians were entitled to release under the terms of the Korean Armistice Agreement. 41/

On 17 December 1954, Dag Hammarskjold was invited by Chou En-lai to come to China for a discussion

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(footnote continued from previous page) paragraph for inclusion in Dag Hammarskjold's briefing book was originally prepared in the Agency and summarized the publicly released cover story, noting that the Chinese Communists linked the case with those of the 11 airmen whose sentences were announced at the same time, although the airmen were on a separate mission and were shot down several weeks after the civilians. The airmen were on a confidential mission in support of the UN Command, directly related to the UN defense against the Chinese Communists aggression in Korea. Their operations were important to this purpose and were made necessary by the Chinese Communists breach of international peace and security. The Korean Armistice Agreement contemplated the return of civilians whose detention resulted from the hostilities in Korea and a number of civilians had been returned thereunder. Downey and Fecteau came within this category and their continued detention by the Chinese Communists could not be justified. The Government of the United States maintained that these American civilians should be given their freedom forthwith.

The complete paragraph was routed within the Agency to C/Ops, A/DD/P, C/FE, SA/DCI/P by C/FE/1, William E. Nelson. There was also a routing slip to Lawrence R. Houston, General Counsel, on which Nelson stated that "attached paragraph inserted in Secretary General's book. He is reported to have read it without comment." Presumably the paragraph was inserted by the USUN Ambassador or a member of his staff.

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of problems. On two subsequent occasions, 31 December 1954 and 2 January 1955, the Chinese Communists broadcast a description of "US Spy" Downey's air pick-up mission in China, possibly in anticipation of the Secretary General's visit and appeal for release. The broadcasts were carefully analyzed in the FE Division and the information found to be substantially correct and to give an accurate account of the mission. Chief/FE concluded that it was probable that the STAROMA team had been doubled immediately after their launching or that the Chinese Communists had obtained text of messages from the team operator or other team members by interrogation after capture. 42/

The Secretary General was in Peking from 5 - 10 January 1955 and had four formal meetings with the Premier-Foreign Minister for a total of 13 hours, 90 percent of which, according to the UN, was spent on the prisoner issue. 43/ There were at this point, 17 Americans\* of some degree of association with the UN Command in

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\* In addition to the 11 B-29 airmen and the two civilians, four jet pilots who had wandered into China's air space on separate occasions after the 1953 armistice had been shot down and were jailed. Their status was not in contention and they were freed after short periods of captivity.

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Chinese jails although Hammarskjold's instructions from the UN General Assembly Resolution of 10 December 1954 applied only to the 11 B-29 airmen.\* Upon Hammarskjold's return, the United Nations announced publicly that Premier Chou En-lai had agreed to permit relatives to visit the Americans held in Chinese jails. Privately the Secretary General reported to UN Ambassador Lodge that the Chinese were extremely suspicious of the 11 airmen and the two civilians for a number of reasons. Downey and Fecteau were caught red handed. The 581st (the B-29 Unit) was obviously on more than a UN mission because of the number of personnel, radios, and such. Downey and Fecteau were not on the lists presented at Geneva. 44/

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\* Edgar Snow, American expatriate journalist and author, quotes Chou En-lai as saying in a personal interview with him: "There are two United States nationals in Chinese prisons of another category -- a very special one. They are airborne secret agents sent by the United States to China, namely, the very famous Downey and Fecteau. Allen Dulles of the United States Central Intelligence Agency could give you all the details, but perhaps he would not want to give the information in such detail as we would. In early 1955, when Hammarskjold came to Peking to discuss the question of the United States nationals in Chinese prisons, even he found it inconvenient to bring up their case for discussion. These two were in no way related to the Korean war, but were on a mission of pure espionage and secret agent activity." 45/

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Despite the somewhat discouraging feedback from the UN, hopes were high throughout the first six months of 1955 that the prisoners would be released or that their sentences would be commuted. The special committee\* was revitalized on 7 July 1955 under the Chief/FE to focus on an evacuation plan in case Downey and Fecteau were released. 46/ Chaired by William Nelson, Chief,  and composed of representatives of OS, OP, FI, PP, and TSS, the committee was to have the doubtful distinction of being the longest lived ad hoc committee in Agency history. An immediate task, in addition to the evacuation plan, was the preparation of the background briefing for Ambassador Alexis Johnson, who was selected to represent the United States in ambassadorial-level talks scheduled for Geneva in August 1955. 47/ (b)(3)

On 4 August 1955 the Communists released the 11 airmen, preceded by an announcement that made no mention of the two civilians.

Eleven US spies (named) were formally sentenced for various terms of imprisonment by the Military Tribunal of the Supreme People's

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\* See p. 32, above.

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Court of China for having sneaked into the territorial air space of China by plane to conduct espionage activities with the aim of jeopardizing the security of China.

During the period in which these 11 criminals served their sentences, they observed discipline and behaved themselves fairly well. The authorities in charge so reported to the Military Tribunal of the Supreme People's Court and asked leniency for them.

The Tribunal decided on July 31,\* according to law, to release these 11 criminals before the completion of their terms. 48/

The release of the uniformed personnel, while welcomed, occasioned some long second thoughts on the part of Agency people, thoughts of the lost bureaucratic battle to make common cause for all 13 prisoners.

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\* Edgar Snow, previously cited in footnote p. 43, puts a different slant on the release quoting Chou En-lai: "In order to create a favorable atmosphere, China released, before the talks began (at Geneva), eleven so-called prisoners of war following the mediation of Krishna Menon and UN Secretary General Dag Hammarskjold's visit to Peking. Why are they referred to as "so-called" prisoners of war? Because they were not captured on the Korean battlefield... (they) were on a United States plane which intruded into China's air space, and were captured after their plane was hit. Both China and the United States had declared that the Korean war was restricted to Korea and did not extend to China. This plane was shot down in China, so China did not recognize them as prisoners of war. Nevertheless, China released them -- to create a favorable atmosphere for the ambassadorial talks at Geneva and that was the end of the so-called prisoner of war issue." According to Snow, Chou then went on to describe another category, a very special one; namely, Downey and Fecteau. 49/

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The effect of the failure to join their cases with the case of the Arnold crew on the individuals most concerned has been set forth by John Downey in a recent (26 April 1974) interview with the author of this history. Downey noted that within about two weeks of the Chinese announcement of the formal sentencing (23 November 1954) of all the Americans, he and Fecteau were put into the same cell corridor with the Arnold crew. Of the subsequent events Downey stated:

After three weeks living with the Arnold crew during which I was sort of living on the edge of my chair every instant fearing that this was too good to be true, and being reassured by them that we were all on our way, that they (the Chinese) would not have put us together if we weren't going out together, the axe fell. The interpreters came in for a normal daily meeting, a briefing kind of a session, and just casually announced that, "well, we felt it was a little crowded in here and perhaps a couple of you ought to live on another corridor." It would relieve the crowding (they thought). Then questions were asked; does that mean they, Downey-Fecteau, are separate? Can they come back every day and talk and read and exercise together? "Oh, yeah," they said, "you can play together and come back and live together." Well, much to the chagrin of the Chinese, two of the Air Force guys volunteered to move out of the corridor and live together. The Chinese got quite confused and said, "well, we were thinking since Downey and Fecteau are not part of the crew probably it would be better if they lived separately, and the crew kept together." So then they (the Chinese) were asked, "Can they come back?" "Oh, yeah," was the answer, "they can come back every day and everything. It's just

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for sleeping purposes." Well, I knew right then that the axe fell; and I just felt that I had been hit over the head with a sledge hammer. I knew this was the end of the line.

The interpreter gave us all this spiel. The crew foxed him by volunteering to live off the corridor and that threw his whole plan out of kilter so he had to come and say, "Well, we think Downey and Fecteau ought to live together." Well, I was practically in tears and my head just dropped to my chest and I knew that was the end of the line, and I foresaw a long haul for us and that these guys (the Arnold crew) were going to get out. For once in my life I was pretty accurate in my grasp of things. So we picked up our stuff, the Air Force guys were trying their best to cheer us up - and kidding us and everything. I remember Benjamin, one of the enlisted men, saying, "Well, listen don't forget when you get home, send us a postcard." It made me laugh though I was practically ready to cry. So Dick and I were taken out and we were put in another corridor in a cell and we were both pretty agitated, at least I certainly was, and we were talking there and saying, "Jesus, thank Christ we are together, at least we got that much, no more solitary;" and the door swings open and (the voice saying), "Fecteau, will you step out," and that is the last I saw of him. There I was back in solitary. That was a very miserable day. I remember that was really a jolt because I never believed it was really too good to be true, that we would get on the Arnold group's coattails, but you always have that wild hope and now!

Perhaps it was only coincidental, but at the time that Downey and Fecteau were separated from the Arnold crew -- despite the efforts of the USAF crewmen to prevent this -- Hammarskjold was about to begin (5 - 10 January

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1955) negotiations with the Chinese leaders for the release of the 11 man crew of the downed B-29. What might have happened had Hammarskjold's list included the two Agency employees poses an uneasy and unanswerable question.

At least the returning airmen brought out first-hand reports on Downey and Fecteau. 50/

Cable, Director from [redacted]

5 Aug 55: (1) Report of debriefing airmen. Downey and Fecteau arrived in Peking during April 1953. Previously held in Mukden. Housed same jail April 1953 through 28 December 1954. Downey housed with officers. Fecteau housed with enlisted men. Between 7-28 December occupied same cell. Prior to 7 December 1954, Fecteau observed in cell chained hand and foot. Fecteau believed to have resisted indoctrination.

(b)(1)

(b)(3)

Cable, Director from [redacted] 9 Aug

55: (1) Downey told all he knew -- Fecteau held out. (2) Para 4 D/F informed airmen they were certain operations in which they were captured was Chi Com trap.

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(b)(3)

From this point forward, official efforts to obtain the release of Downey and Fecteau were tied to the general release of all US citizens detained by China, although the occasion or concession considered necessary by the Communist Chinese for release of the CIA men was not to occur for 16 years and they were to be the last prisoners out of China. The US position was presented

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by Ambassador Alexis Johnson at Geneva and resulted in a bilateral statement by the two countries issued on 10 September 1955. The Agreed Announcement of the Ambassadors of the United States of America and the People's Republic of China set up the requirement that each country take appropriate measures so that American and Chinese nationals desiring to return to their respective countries could exercise their right to do so. 51/ This effort came to naught in the ensuing months due in part at least to the unwillingness of the Chinese who were living in the United States to return to Communist China,\* but the Agreed Announcement served as a point of diplomatic reference for the US Government for the next 15 years.

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\* The United States instituted a press, television, and radio publicity campaign announcing the right of any Chinese in the United States to return to Communist China unhindered. Notices containing the text of the Agreed Announcement were placed in 35,000 post offices, throughout the country. There was not a single response. Furthermore, neither the Indian Embassy in the United States, which had been authorized to make representations on behalf of any such Chinese, nor the British Charge d'Affaires in China, representing any American in the country, brought a single case to the attention of the US Government. 52/ The Geneva Talks (subsequently Warsaw Talks) which followed this meeting and were continued for thirteen years are described in the footnote on p. 150.

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The finish to this set of official efforts to free the prisoners came on 29 January 1957 when the Department of State issued a paper entitled, "The Facts Concerning the Chinese Failure to Release Imprisoned Americans," which reflected the level of frustration, rhetoric, and distrust.

Communist spokesmen and media have intensified in recent weeks their efforts to mislead the World concerning the continued imprisonment in Communist China of six American civilians.\* These Americans are held in cynical disregard for an unqualified Chinese Communist pledge on September 10, 1955, to take measures for their release "expeditiously."

After having used other excuses to explain away or divert attention from their failure to keep their word, the Chinese Communists have now fallen back on the specious allegation that the United States had failed to keep its own commitment with respect to Chinese nationals in this country. 53/

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\* The six American civilians included two Maryknoll priests [redacted] Their sentences and places of confinement were noted by C/FE: (b)(1) (b)(3)

The Rev. Joseph P. McCormack, Shanghai, five years (expires Jun 1958)  
 The Rev. John P. Wagner, Shanghai, five years, (expires June 1958)  
 John T. Downey, Peking, life  
 Richard G. Fecteau, Peking, 20 years  
 Hugh F. Redmond, Shanghai, life  
 Robert R. McCann, Tientsin, 15 years. 54/

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The official position taken by State and adhered to persistently from then on was to maintain the policy of no bargaining, of standing upon the Chinese Communist statement of 10 September 1955 and of doing nothing that could be taken as recognition of the Chinese Communist Government. 55/

The 1957 State Department paper drew no response, and gradually the plight of the prisoners faded from public view.\* The ad hoc committee\*\*remained in touch

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\* When interviewed for the Oral History in April 1974, John Downey thought they would have been better off without the official efforts to free them. The somewhat sanctimonious approach of the United States only infuriated the Chinese Communists in the 1950's and the 1960's. It was not until the announcement of President Nixon's visit in February 1972 that he noticed any change in the climate of hostility between the two countries. For full statement see Appendix J Tape Transcript No. 39.

\*\* Liaison with State was mainly an FE/Div responsibility throughout the 1950's. [redacted] (b)(3)  
FE [redacted] for CIA, and Edwin W. Martin and Robert Aylward, China Affairs for State, carried on the release efforts in the late fifties. C/FE also retained the chairmanship of the ad hoc committee for a short time after the prisoner affairs were turned over to the Director of Personnel in September 1959. An attempt was then made to distinguish between operational, which presumably meant release efforts, and administrative responsibility. The distinction was blurred and eventually FE was content to let Personnel handle the entire range of prisoner affairs, including chairmanship of the ad hoc committee, although FE retained membership on the committee. (b)(3)

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with the Office of China Affairs at State and various suggestions, such as asking the Russians for help and the suggestion that the prisoner release be made a condition to the resumption of the interrupted ambassadorial talks at Geneva in 1958, were not acted on for one reason or another. In the Agency's opinion the stumbling block was, of course, the fact that the Communist Chinese wanted a political concession from the United States and would not release the prisoners until they got it; and the United States was not about to give any such concession. 56/ State did take up with General Alfred Gruenther of the American Red Cross the idea of using the organization as an intermediary to obtain the release of the prisoners, but the Chinese parried this attempt by limiting Red Cross activity to visits and packages. In September 1959 the prisoner issue was included on the agenda for President Eisenhower's meeting with Premier Krushchev at Camp David. It was hoped that the Chinese Communists might consider releasing the prisoners as part of an act of amnesty announced on the 10th anniversary of the founding of the People's Republic of China -- said amnesty was supposed to include non-Chinese. Publicly the White House would only say that "Premier Krushchev might find it possible

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as a friendly gesture...to bring up the matter of our five prisoners\* when he got to Peiping (on 29 September 1959)." 57/ This gesture by Krushchev, if made, was no more successful than other attempts to free the CIA prisoners.\*\*

#### Unofficial Efforts

The burden of misery and frustration suffered by the families led to independent efforts outside the channels established by the Agency. Mrs. Downey in

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\* By 1959, [redacted] Downey, Fecteau, Redmond, and McCann, with Bishop Walsh of Maryknoll, arrested in 1958, constituted the roster of imprisoned Americans. The two Maryknoll priests, named on the 1957 list, were released at the completion of their sentences in 1958.

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\*\* A possible opportunity to gain the release of the prisoners is described by the British author E. H. Cookridge (pen name), in *Spy Trade*, New York, Walker & Co., 1971, p. 86. "Allen Dulles, who had a rational and pragmatic approach to the game he had played all his life, eventually favored Abel's [Colonel Abel, the so-called Soviet master spy arrested in 1957 and eventually traded for Gary Powers in February 1962] exchange for American prisoners held behind both Iron and Bamboo Curtains. Already in 1958, when Abel first suggested it to Donovan [American attorney and later intermediary in the Powers exchange], the possibility was broached of exchanging him in return for Americans imprisoned in China. Abel said that Pandit Nehru, the Prime Minister of India, or the Government of another neutral country, might be willing to mediate such an exchange. If Allen Dulles was willing to consider it, his brother, John Foster Dulles, the Secretary of State, frowned at even the hint of such a transaction. He wanted no truck with Moscow or Peking, which would have left the Communists the winners both in the value of the commodity gained and in obtaining political prestige in the eyes of the world." (continued)

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particular displayed indomitable determination in carrying the struggle for her son's release to higher authority.\* Refusing to believe that the most powerful government in the world could do nothing, she managed through her own efforts to see four Presidents,

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(footnote continued from previous page) The Agency ad hoc committee did bring up with the General Counsel the idea of using James Donovan's services, particularly his "in" with Castro on behalf of the FE prisoners but this was in January 1963, 18 months after the Powers-Abel ~~ex~~ change. (b)(3)

\* In March 1973 [redacted] liaison officer with the family until 1957, described Mrs. Downey's efforts:

After the Chinese announcement that Downey and Fecteau were alive and had been sentenced, Mrs. Downey maintained her adamant stand, her insistence on various positions that she took about the cases. I know she saw Jack Kennedy, she saw Eisenhower, she made contact either in person or in writing with each President who took office during the period of Jack's imprisonment. She had also been in touch with President Nixon about the cases. She was in touch with several government officials, some UN officials, the Secretary of State. She came to Washington and had several meetings with Allen Dulles. She did everything she possibly could to keep Jack Downey's case in the minds of any government official who might have any possible effect on Jack's release. For this she can't be criticized really. Having gone through what she had gone through, the loss of her husband, and seeing her son in this situation, it is hard to criticize her. Mrs. Downey made overtures to the Chinese authorities, wrote letters to Chou En-lai and subsequently got permission for herself and Mrs. Fecteau to visit the two boys in China and they traveled there, I believe, in 1957. 58/

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beginning with President Eisenhower in 1957; one Secretary of State, Herter in 1958; two DCIs, Dulles and McCone; two UN Ambassadors, Henry Cabot Lodge of the United States and Krishna Menon of India; and several Senators and Representatives. Each visit caused at least a temporary flurry in the bureaucracy as papers were staffed up the line explaining the mission, the cover arrangements, and prior steps taken in behalf of the prisoners. Mrs. Downey's unrelenting efforts probably helped to keep the diplomatic mill grinding. At least they kept new administrations informed at the highest levels of the plight of the American prisoners as they faded from view in the press\* and in the mind of the public.

Following a visit to China in July 1959 a private attempt, ostensibly by his brother William,\*\* was made

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\* The hometown newspapers, [redacted] the *New Britain Herald* for Downey, and the *Boston Globe* for Fecteau, remained alert to developments in the cases and, while careful to avoid statements that would damage the prisoners' cause with the super-sensitive Chinese, gave the men their strong support.

\*\* William Downey had resigned his position with a New York bank and moved to Hong Kong to devote full time to his brother's release. [redacted] originated the plan to use Percy Chen.

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to gain John Downey's release. Impetus for that operation had begun in 1957 in Bangkok when an American lawyer, Albert Lyman, made the suggestion to the US Embassy that he be allowed to draw up an appeal on humanitarian grounds within the framework of Chinese law. A Hong Kong lawyer, Percy Chen, who had contacts with the Chinese Communists, would then go to the mainland with the appeal and plead the case on the basis of clemency. The price, in addition to Lyman's fee, would be an interview for Chen with President Eisenhower during which Chen would plead the cause of world peace.

[redacted] advised against the proposal, describing Albert Lyman as an unscrupulous opportunist and Chen as a man who would use this matter to further his own aims. 59/ The concept was saved for a better occasion and a more reputable proponent.

Both developed two years later, immediately after the 13 - 19 July 1959 visit of William Downey to his brother. As advised, William had pleaded for his brother's release on the basis of clemency, citing the 10th anniversary of the founding of the People's Republic of China.

Upon his return to Hong Kong, [redacted] put William (b)(1) (b)(3) in touch with a reputable British attorney, George E. S. Stevenson, of the firm of Stewart and Company. Stevenson

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then sought Percy Chen's services as intermediary. Chen at first welcomed the opportunity to get back into the case, but within hours turned it down saying John Downey was a spy and an imperialist crook. 60/ The loss of the Communist contact was a serious blow, but Stevenson proceeded to draw up the petition dated 1 October 1959 for the release of John Downey, based on general amnesty being given to Chinese prisoners in connection with the 10th anniversary celebration. The petition was forwarded directly to the Supreme Court of the People's Republic of China early in October 1959. Little hope was held for it in view of the shift in Percy Chen's position which could only have come after consulting with his Communist superiors. Two and a half years later, in March 1962, a supplemental petition was presented to the Court by Solicitor Stevenson, reflecting Mrs. Downey's fears that she would not live to see her son released, but this, too, drew a negative response.\*

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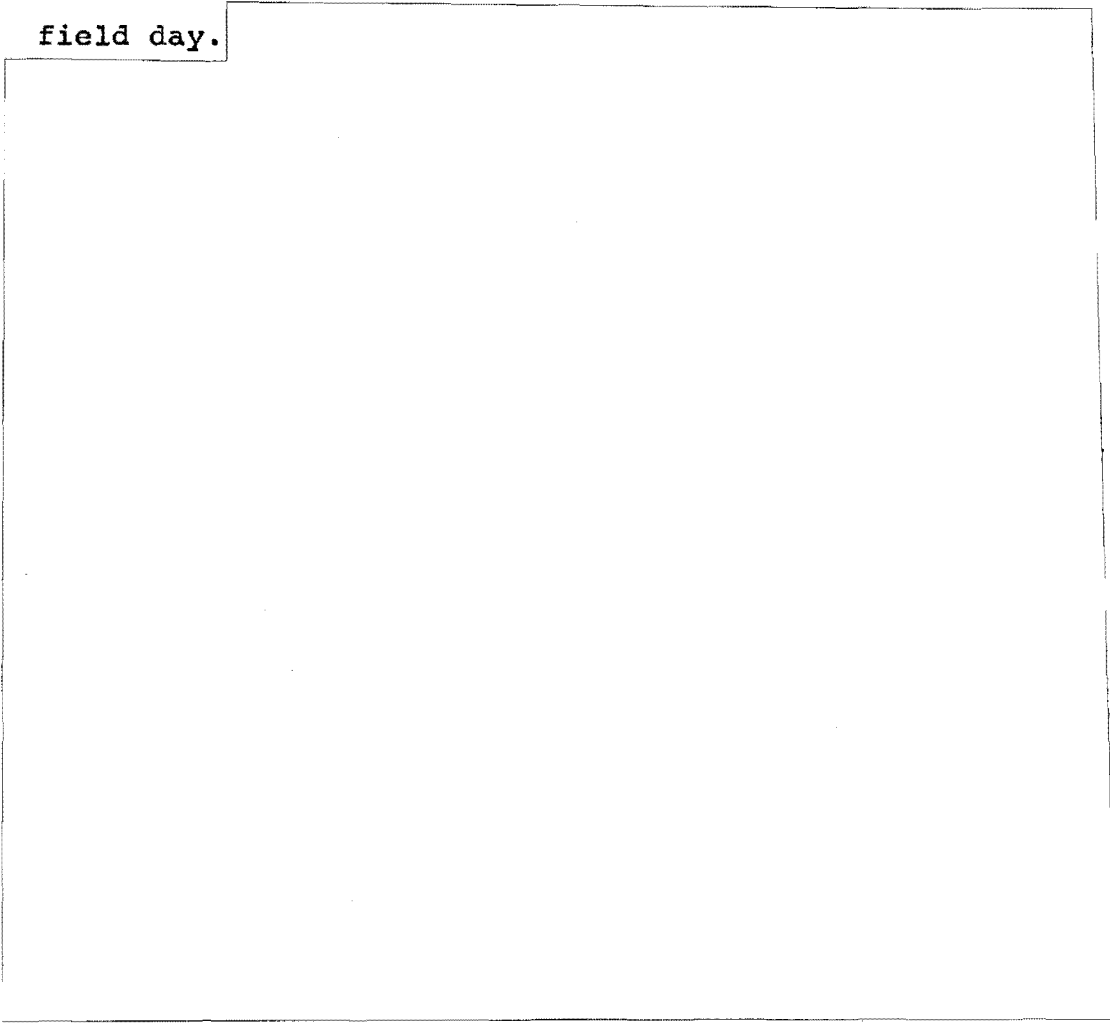
\* Excerpt from State message of 13 July 1962:

In fact, one indication that an early release of John Downey is not in the offing, is the answer given to the Downeys concerning their 1959 petition for clemency...[when they] were informed through the Chinese Red Cross intermediaries that the petition was worthless because it was not drafted by a mainland licensed lawyer...nor would it do any good to have another appeal drafted. 61/

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From time to time, grass roots efforts sprang up in the home towns of the prisoners. Family participation was usually discouraged by the Agency for many reasons. There were fears as to the effect of unguarded remarks and unwise actions on the Chinese Communists. There was a reluctance to give opportunists a publicity field day.



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Personnel Administration of the MIAs in the 1950's

After recovering from the administrative disaster attendant upon declaring Downey and Fecteau alive a year after having declared them dead, personnel administration of the MIAs followed a pattern involving six major areas: pay and allowances allotment, promotions, maintenance of accrued funds due to the employee, travel of families, and personal communication and contact with the families. The personnel process had, however, a very distinct abnormality -- the individuals were missing from the scene and could not be consulted, so the Office of Personnel had to make decisions for them.

Pay accounts had been reestablished in 1955, at which time it was determined that the men were entitled, ironically as it seems, to separation allowance,\*\* and

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\*\* Separation allowance (footnote continued on next page)

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to post differential.\* The Office of Finance, which did a great deal of work on these accounts down through the years, proceeded to keep the accounts in a current status so that immediate and accurate payment of accrued funds could be made at any time upon release. The procedure was based on memoranda from the Director of Personnel to the Comptroller citing the Missing Persons Act of 7 March 1942 as amended, and [redacted]

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[redacted] Pay and Allowances of Missing Persons, which, on 17 May 1956, replaced the familiar [redacted] of the Confidential Funds Regulations.\*\* Since these individuals were not in a position to pay their income taxes, these were deducted from their pay when due and placed in escrow until such time as payment to the Internal

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(footnote continued from previous page) is one granted to an employee who is compelled by reason of dangerous, notably unhealthy, or excessively adverse living conditions at his post in a foreign area, to meet the additional expense of maintaining any or all of his dependents elsewhere than at such post or assignment.

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\* Post differential is established at a post in an area where the environment differs so substantially from that of Washington as to warrant additional compensation. See [redacted]

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\*\* The Plans Staff of the Office of Personnel -- in this case the analyst was [redacted] -- developed the comprehensive regulation which incorporated the experience gained in the MIA cases. (footnote continued on next page)

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Revenue Service could be made by the individual. In 1959 an equalization allowance\* of \$700 a year, designed to cover the cost of the "care" packages the families had been sending for three years, was authorized by the Director of Personnel on a retroactive basis, as recommended by DeFelice.\*\* The allowance was continued for the duration of captivity. Passed along to the families by increase in allotments, it served in some degree to relieve the financial burden on the parents without depleting the men's accrued funds. Personnel's actions on pay and allowances were described by DeFelice in May 1973:

We not only saw to it that they had everything the law authorized them to have, but we also responded to new financial needs imposed on the families by creating other allowances. Example -- when we found out that the families were using personal funds to send packages to

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(footnote continued from previous page) Personnel also commented on the revisions made in the "Missing Persons Act" and participated in the development of a "Code of Conduct for Agency Employees Subject to Capture by an Enemy," which was approved by the DCI on 28 April 1956. 62/

\* Equalization allowance is granted to staff and detailed personnel, career agents, and contract employees...based on a formula which takes into account the excess cost of living at the post or area of duty as compared to Washington, D.C.

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\*\* For clarification of DeFelice's position, see p. 33, above, and p. 64, below.

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Downey, [redacted] and Fecteau, the Director of Personnel did what he could to establish what he referred to as an "Equalization Allowance" which approximated the cost of the packages sent by Mrs. Downey to her son and the Fecteaus to theirs.

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[redacted]  
(b)(1)  
(b)(3)

Originally, allotments could be based on the instructions which each individual had made a matter of record before going overseas. The fact that Downey was single simplified the handling of his affairs.

[redacted]  
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\* By the 1960's, maintenance of the prisoners' accrued funds had become a major investment problem as described in Chapter II.

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Fecteau's affairs were more complicated.

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[redacted] As his children grew up and his parents (b)(3)

[redacted] the administration (b)(3)

of his affairs became increasingly complicated. For example, the question of increased allotments to Fecteau's children had to be faced as early as 1955-1956, requiring a basic judgment as to the standard of living he would have established for his family. In his 1973 Oral History interview, DeFelice\* described the allotment difficulties as follows: 65/

We used a standard for allotments that we have maintained throughout the years in handling the finances of our prisoner cases. We consider ourselves as fiduciaries charged with the highest of trust in disbursing the funds of Agency prisoners.... The case that had the most complications was the Fecteau case.

[redacted]

As the children approached their teen years, especially with the need for

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\* Upon the transfer of [redacted], to the Office of the General Counsel late in 1957, Ben DeFelice, who had been [redacted] assistant, took over as Chief of the Casualty Affairs Branch, OP. He personally handled the Downey and Fecteau cases for the next 16 years during which time he advanced to the position of Deputy Director of Personnel for Special Programs. He was a GS-9 Insurance and Claims Assistant in November 1953 when he first encountered the case. [redacted]

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[redacted]  
OS hierarchy to the Deputy Director level.

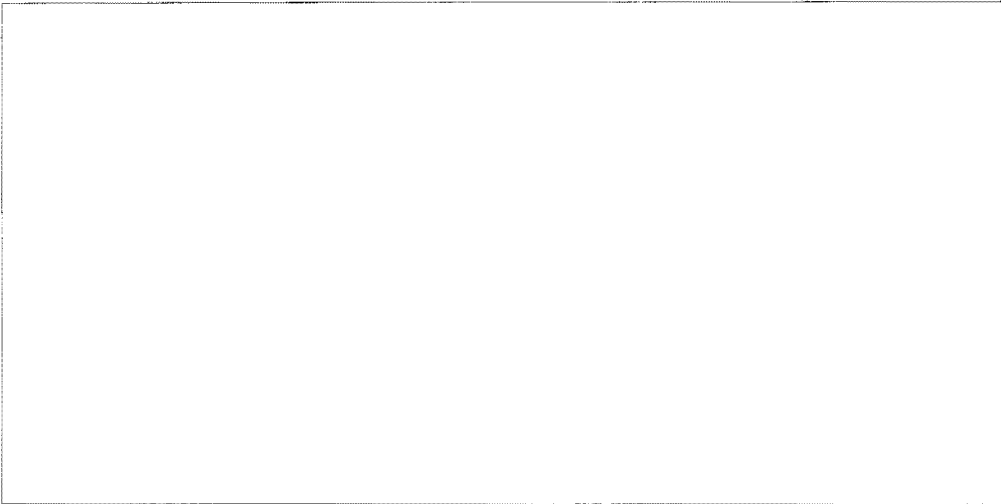
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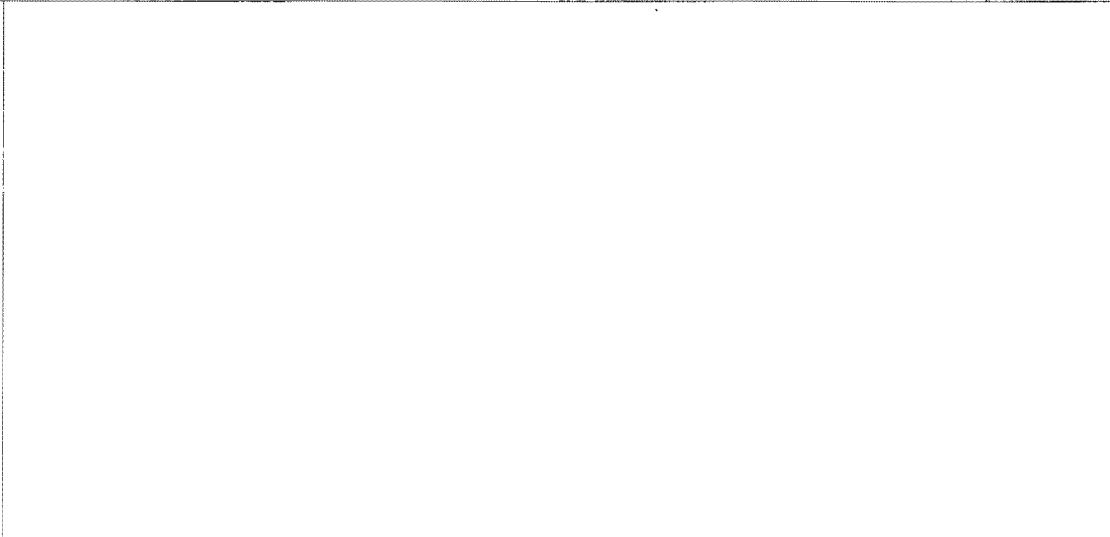
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education facing them, the Director of Personnel approved a formula by which funds from Mr. Fecteau's accrued pay and allowances were used to pay for educational expenses.



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Another complication that became apparent in 1957, somewhat belatedly as it happened, was the matter of promotions. By then it was clear that the prospects for

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immediate release were slim, and at an 11 December 1957 meeting the Committee on CIA Connected Americans Imprisoned in China\* reached an agreement that the prisoners warranted promotions and these should be sought at certain specified grade levels.\*\* On 19 December, by memorandum to the Director of Personnel,\*\*\* the Chief, FE Division recommended [redacted]

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[redacted]  
Richard G. Fecteau be promoted from GS-7 to the third step, GS-11; that John T. Downey be promoted from GS-7 to the fourth step, GS-11; such promotions to be effected in a graduated retroactive manner. 67/

A schedule was accordingly worked out by the Office of Personnel and presented to the DCI 70/ on

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\* The Committee on CIA Connected Americans was a new (and soon discarded) title for the ad hoc committee. It was responsible for all aspects of the prisoners and in August 1957 consisted of Chief, FE2, William V. Broe, chairman, who had just succeeded William E. Nelson; Chief, [redacted] Paul Gaynor of the Security Research Staff of OS; Chief, Casualty Affairs Branch/OP, [redacted] Chief [redacted] TSS, Dr. [redacted] 68/

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\*\* The initiative for the promotion action came from the Office of Personnel. It was agreed in the committee that the formal request would come from Chief/FE to D/Pers. 69/

\*\*\* Gordon M. Stewart was Director of Personnel and Alfred C. Ulmer, Jr., Chief, FE Division.

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9 January. Dulles, on 3 February 1958, approved the schedule and the pay accounts were adjusted to reflect the changes.\* From that point forward, promotions were made periodically when people of similar background were promoted, as determined jointly by the Director of Personnel and the appropriate officials in the DDP, such as the Chief, FE Division, and the chairman, DDP Personnel Management Committee, and described by DeFelice:

Once we had brought the men fairly current and up-to-date with their contemporaries by a series of retroactive promotions, our standard was to be sure that they kept a pace with their colleagues. Throughout the years we would run a survey of the PM class colleagues, of both Fecteau and Downey, and would try to establish where these men would be had they not been taken prisoner. Eventually they were promoted to GS-13's and the Director of Personnel then wrote a piece of paper to the Deputy Director of Plans establishing that prisoners generally should be brought during the period of imprisonment to the journeyman level. [redacted]

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[redacted] he established this journeyman level at GS-13. He then felt that one means of compensating these men for the hardships of prison life was to add one grade to the journeyman level and consequently fixed the terminal level of GS-14 for all prisoner cases. Each [redacted] was promoted to GS-14. 71/

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\* See Appendix E, Promotion and pay schedule, 1951-1957, [redacted]

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~~SECRET~~Travel to China, 1958-1959

Permission for the relatives to visit the imprisoned Americans was one of the major accomplishments of the January 1955 Hammarskjold visit to Peking. Three years were to pass before the promise became a reality, years during which the diplomatic efforts to gain release continued at the ambassadorial talks in Warsaw, and years during which most of the imprisoned Americans served out their terms and returned home. There were several reasons on both sides for the delay. From 1949 on the US Government banned travel by its citizens to China, finally yielding to pressure from American journalists and authors. In 1957 State told the Agency that permission had been granted to a few newspapermen to go to China, but emphasized that it was done with the greatest reluctance and had nothing whatsoever to do with either diplomatic recognition or with the prisoners. State's position was that the Department could do nothing to suggest or encourage the relatives' visits, but on the contrary it had to discourage and oppose such visits. 72/

Peking, having indicated in 1955 that permission to travel was up to the United States Government and that the visits were a private matter to be arranged by

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the parties concerned through the Chinese Red Cross, proceeded to throw every official obstacle they could devise in the way of the travel. There was for example at one point extensive diplomatic wrangling over the so-called "insulting wording" carried on American passports. The reference was to the restriction on travel "to those portions of China held by the Communists," Peking being more concerned with the terminology than with the restriction, and the United States being very careful to avoid even the appearance of recognition by carrying the title of "People's Republic of China" on official documents. 73/ It was not until 1958 that the Agency was informed that all the necessary clearances had been obtained and the relatives were ready to travel. The procedures and the implications of the visits were described by DeFelice for the Oral History:

One recurring development throughout the period of imprisonment of Downey and Fecteau was the matter of the trips of their families. I can't recall completely all of the activities that were associated with the first trip the families made in 1958. Involved, of course, was a general routine. The families themselves would first cable out to Peking for permission to travel. Generally there was no quick response. They would cable again. Again generally there would be no answer to that and eventually the family would turn to the Red Cross here. Our Red Cross would cable to the Chinese Red Cross and as a general statement approval of the trip would follow

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soon thereafter. With the first trip and then with subsequent trips it became important to brief each of the travelers and I remember visiting the Fecteus and Mrs. Downey with funds as well as briefing material. The thrust of the briefing was that they should not get involved in political discussions or a questioning of why their sons were jailed or imprisoned or question of their sentences. The thrust of their whole presence in Communist China was that they were there to visit their sons and give them assurance of their interest in their welfare and merely to have a mother-son visit. The families understood this and understood the necessity for avoiding any kind of a political discussion or haranguing because this could well jeopardize future trips. 74/

The first visit came in January 1958 and was made by  Mrs. Fecteau, and Mrs. Downey, accompanied by William Downey, John's brother. Naturally enough, the initial visit was a source of considerable worry and concern for the Agency. The families knew of their sons' affiliation with CIA, but the nature of the sons' activities and such circumstances as were known of their capture and imprisonment had not been divulged. The first prerequisite was a briefing for the families in the course of which the Agency representatives, Westrell and DeFelice, endeavored to prepare the travelers for what they might encounter both in terms of their sons' attitudes and from

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Chinese Communist attempts to use the visitors for propaganda and intelligence purposes. 75/ Second in importance was the matter of financing the travel because the expenses were considerably beyond the means of the relatives.\* Financial assistance was extended in a carefully guarded way so as to protect the [redacted] Agency relationship between the Agency and the prisoners. The visit was rigidly controlled by the Chinese Communist Government, with the visitors constantly accompanied by a Chinese Red Cross representative. An interpreter was always present at the actual meetings with the prisoners so that it was impossible to evade prison regulations which forbade any discussion of the prisoner's case or his treatment. 77/\*\* A sorrowful event, the trip to China was never repeated by Mrs. Fecteau.

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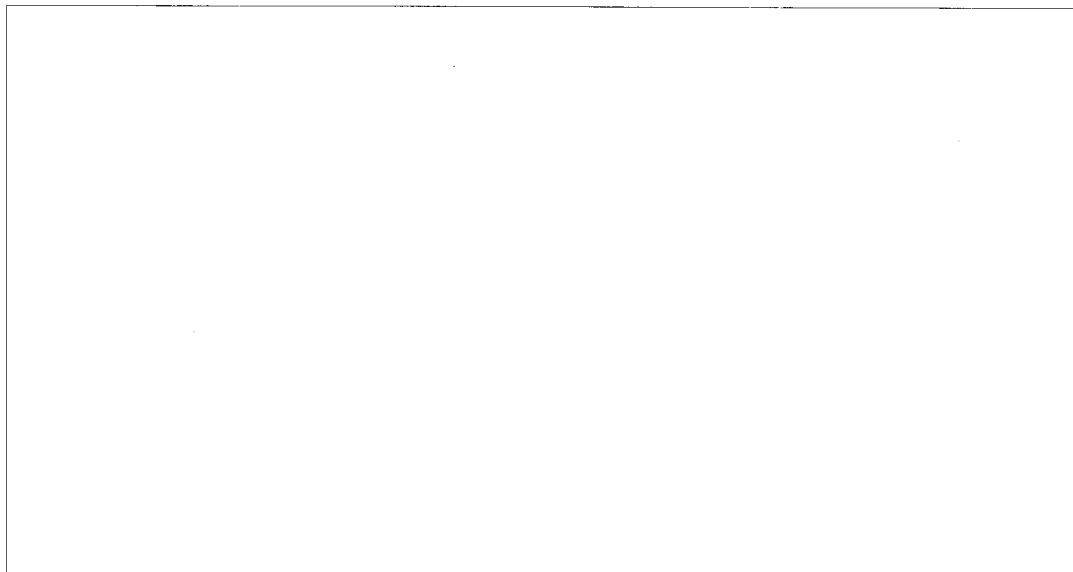
\* Fourteen thousand dollars for the travel of [redacted] Mrs. Downey and Mrs. Fecteau and Willaim Downey was approved by the DCI for the initial visit, accounting to be made upon return. The precedent was established for the payment of travel expenses which totaled some \$35,252 between 1958-1971 when the last trip was made by Mrs. Downey accompanied by son and wife, Mr. and Mrs. William Downey, the latter a registered nurse who assisted the mother, by that time in her seventies. 76/ See footnote p. 131 for a recap of the China visits.

\*\* This information is derived from a Foreign Service Dispatch which, while referring specifically to William Downey's 13 - 19 July 1959 visit, gives a detailed and characteristic description of what happened inside China on these visits.

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DeFelice described the different reactions of the families:



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Shortly after their return, on 17 February 1958, Mrs. Downey, William Downey, [redacted] met with the DCI for a discussion of the prisoners. This was followed by a widely publicized meeting with the new Secretary of State, Christian Herter, shortly after he took office in 1959, 79/ during which the Secretary was admonished by Mrs. Downey, according to DeFelice:

After the first trip, I remember that all of the families [redacted] met with the Secretary of State and pictures were taken which were published. I recall also that it was during this visit with Secretary of State Herter that Mrs. Downey demonstrated her strong will and actually pointed her finger in his face demanding that more attention be given to the cases by the United States Government. 80/

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A second visit by William Downey in July 1959 led to a plea of clemency in connection with the 10th anniversary celebration of the founding of the People's Republic of China, the so-called Stevenson petition as previously described.\* Both these and subsequent visits caused some nervousness among concerned Agency officials who feared the visits might jeopardize the prisoners' cause. Chinese Communist sensibilities were easily and unpredictably aroused. For example, the Chinese Communists cut off all letters from the prisoners for almost a year after the first visit for undetermined reasons thought to be involved with prisoner indoctrination. 81/ So circumspect was the behavior of both prisoners and families during the initial and subsequent visits that there were no untoward incidents that could be exploited by the Communist propaganda apparatus.

John Downey, who had more numerous visits from his family than did Dick Fecteau, found that he had mixed reactions to these contacts. In his interview with the author of this history in April 1974, Downey stated:

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\* See pp. 56-57, above.

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I had very mixed feelings about the visits, and this is rather peculiar. They were for me a period of great tension, particularly the first and second visits, I had fears for the well being of my family members while there. I had no idea particularly in the early days - in the later years, no - but at first I had no idea of what the Chinese were like. I had this enormous tension at first figuring they were going to soak it for all the propaganda they could get. I also felt that it was somewhat degrading for my mother, for her to have to go over and beg these bastards for her son. The interviews, of course, were strictly monitored and I felt it was nonsense that you could say nothing you really wanted to say. I am somewhat reticent about expressing my deeper feelings and certainly not in front of a bunch of hostile strangers. For practical reasons, since I got all kinds of chow and reading material and the prison regime was much more comfortable and pleasant at that time, everything was excellent. I noticed that during and after the visits, I felt much better. I have all these objections to it but the net result was, at least for a while, a temporary boost in my morale. Had I been consulted at any time I'd have told them, don't come, but none the less when they did come, and it cost me a lot in terms of worry about this, that, and the other things, still it did boost my morale. Sometimes I thought it is better not even to come in contact with the outside world and home. You have made your peace with the present situation, it can be painful to open the door and see the sunlight, better stay back in your hole.\*

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\* For the full transcript of Downey's comments, see Appendix J, Tape Transcripts Nos. 39-40.

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~~SECRET~~Liaison with the Families

Liaison with the families was an important part of Personnel's responsibility for the MIA cases, although shared with the Office of Security. The purpose was to provide the families with a channel of communication at any hour of the day or night on anything that might be bothering them and to furnish a trusted intermediary to assist them with release efforts, finances, letters, packages, printed materials, and, starting in 1958, visits to China. In terms of workload, if that is the proper term to use in this delicate matter, there were literally thousands of telephone calls, hundreds of letters, and dozens of visits to the families, none of which were ever put into the impersonal context of office hours or the cold formality of a casualty desk. An insight into the human side of this responsibility was given by Ben DeFelice in the Oral History:

These observations are based on approximately 15 or 16 years of rather extensive contact with the families.... Mrs. Downey before her recent illness was an absolute, dynamic, and powerful woman determined to do everything possible to secure the release of her son and to allow no one or nothing to get in her way....

As the years passed I obtained her confidence and eventually we became very close.\*

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\* In a July 1973 letter (continued on following page)

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It even got to the point where she would defend the Agency and me personally during conversations with her son William

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[redacted] Mrs. Downey and I had literally thousands of telephone conversations over the years. She never hesitated to call at any hour day or night. Conversations would range anywhere from ten minutes to three hours, at Agency expense of course. The peak would always be associated with something key that was happening. For example, when she was first trying to get a visa to go to China our contacts were intensive. Whenever she perceived from the press that something was happening in US relationships to China, she would call.... Most of our conversations consisted of Mrs. Downey talking and my reacting and giving her assurances and whatever comfort I could. Her contact with me was so frequent for so long that in recent years when it began to diminish and months would go by before she would call it got me to the point of being concerned.... I then took the initiative of calling her on a regular basis. 82/

The Fecteau\* were really a very different kind of family. They were very modest in circumstances, lived in a modest home, very solid people generally; this family, [redacted]

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[redacted] were always satisfied that the United States Government was doing everything it was possible to do and that there was little that they could do to stimulate the Government into action. They, therefore, did

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(footnote continued from previous page) to William Downey after Jack's return, DeFelice wrote, "Your mother is the single most outstanding and inspiring human being that I have ever met."

\* At this writing (August 1973) Mr. and Mrs. Fecteau are alive and in good to fair health, still residing in their home in Lynn, Massachusetts.

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[REDACTED]

were content to hear from me regularly on what we were doing, and to receive assurances that the Government was in fact doing everything that it could possibly do. 83/

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[REDACTED]

In the absence of diplomatic channels, even the mechanics of communication with prisoners were very cumbersome, giving rise to numerous frustrations for the families in their attempts to send mail, food, and book packages and adding to the Agency's liaison burden as the families sought help with their problems. State had primary responsibility for all US prisoners in China but was inhibited by the lack of diplomatic channels. A Department of State memorandum in 1957 described the logistics of these supply efforts:

The first transfer of 44 Red Cross parcels were [sic] turned over at the Hong Kong border to a Chinese Red Cross representative on May 30, 1955. These parcels of one kilogram each were increased to parcels of five kilograms each on July 15, 1955 transfer. Beginning with the June 15 transfer, the Red Cross

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representative likewise turned over parcels from the families. The American Government has made available, to the Red Cross, Department of Air Force planes and personnel for the delivery of both Red Cross parcels and family parcels from the States to Hong Kong. It has also provided transportation to Hong Kong from Clark Field or Tokyo for the American Red Cross representative who twice a month turns over the parcels at the Hong Kong border to the Chinese representative. The Department has also made every effort to facilitate the delivery of reading material from the families to Hong Kong where the packages are mailed. This effort involving coordination of Red Cross and US Government personnel and facilities permits the saving of large sums in postage as well as eliminating long delays in mailing. 85/

The effort was very worthwhile. There was no question but that the food packages from the families and from the Red Cross contributed significantly to the physical well being of the prisoners just as the printed material, books, and magazines contributed to their mental equilibrium.

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~~SECRET~~II. The MIAs in the 1960'sThe 1960 May Day Incident: The Gary Powers Shoot-down

The administrative experiences gained in the handling of the Downey, Fecteau,  cases of the fifties were called into play at the very start of the sixties. In rapid succession the Agency's population in Communist prisons doubled when the Soviets captured one, and the Castro Cubans three. Agency employees.

On 1 May 1960, Francis Gary Powers "went missing" while piloting his U-2 reconnaissance aircraft on an overflight of the Soviet Union somewhere between Peshawar in Pakistan where the flight originated and Bodo in Norway. News of his shoot-down and capture near Sverdlosk was delayed by the Soviets for seven days during which the US Government put out cover stories concerning the loss of a NACA\* weather research plane near Turkey. On 7 May 1960, Premier Krushchev announced

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\* National Advisory Committee for Aeronautics, predecessor to the National Aeronautics and Space Administration, NASA.

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to the great embarrassment of the United States\* that the Soviets had both pilot and plane in their custody. President Eisenhower's decision to accept responsibility for authorizing the flight led to a grave diplomatic crisis between the two nations and adjournment of the Summit meeting of the Big Four which had convened in Paris on 16 May 1960. The President's visit to the Soviet Union in June 1960, a return visit to that which Khrushchev had made in 1959, was also cancelled.\*\*

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\* Lyman B. Kirkpatrick, former Inspector General, described the situation as, "one of the most momentous flaps that I witnessed during my time in the Government." 86/

\*\* Allen Dulles wrote in 1965:

And while I am discussing myths and misconceptions, I might tilt at another myth connected with the U-2, namely that Khrushchev was shocked and surprised at it all. As a matter of fact, he had known for years about the flights, though his information in the early period was not accurate in all respects. Diplomatic notes were exchanged and published well before 1 May 1960, the date of the U-2 failure when Khrushchev's tracking techniques had become more accurate. Still, since he had been unable to do anything about the U-2, he did not wish to advertise the fact of his impotence to his own people, and he stopped sending protests.

His rage at the Paris Conference was feigned for a purpose. At the time he saw no prospect for success at the conference on the subject of Berlin. He was then in deep trouble with the Chinese Communists. Following his visit to President Eisenhower in the fall of 1959, he had been unable to placate Mao during his stop in (footnote continued on following page)

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Powers was put on trial for his life in a Moscow "spectacular" in August 1960 but, considering the espionage charge, received a relatively mild 10-year sentence. He was freed after one year and nine months in a well-publicized exchange for the Soviet agent, Colonel Rudolf Abel. New York attorney and Agency consultant, James Donovan, an alumnus of the Office of Strategic Services, who had been assigned as Colonel Abel's court-appointed defense attorney in the 1957 trials, served as intermediary. 87/

Although a component of the DDP, the Developmental Projects Division (DPD) which ran the highly classified U-2 project,\* was completely compartmented from the rest of the Agency, having its own support components including security and personnel. The Powers case, however, was much too important to be contained within the confines of either DPD or CIA.

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(footnote continued from previous page) Peking en route back from the US. Furthermore, he was apprehensive that the Soviet people would react too favorably to President Eisenhower's planned trip to the USSR in the summer of 1960. Influenced by all these considerations, he decided to use the U-2 as a good excuse for torpedoing both the trip and the conference. 88/

\* Richard M. Bissell, who had been the prime Agency mover in the development of the U-2 project as a Special Assistant to the DCI (footnote continued on following page)

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Diplomatic and release efforts were conducted at the very highest levels in the White House,\* the State Department, and the Agency.

On the administrative level DPD pulled together an informal group consisting of support personnel assigned to the project and of representatives of the central personnel and security offices.\*\* The most pressing administrative task was to determine Powers' status, and on 10 May 1960 the Director of Personnel

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(footnote continued from previous page) was at this time the Deputy Director of Plans (DDP), a post which he held from 1 January 1959 until his resignation in December 1961.

\* At one meeting on the incident, for example, were Dulles, Bissell, and Gen. Cabell from the CIA, Assistant Secretary of State Charles Bohlen for the State Department, and Gen. Goodpaster for the President. 89/

\*\* John McMahon, Personnel Officer of the DPD, was the focal point. Ben DeFelice represented the Personnel Director, and [redacted] the General Counsel. A major role was played by Paul Gaynor as chairman of the Damage Assessment Committee and by John Mertz of the CI Staff and by Security officers detailed to DPD including

[redacted] Gaynor headed up the group of OS people, including [redacted] and [redacted] who handled Barbara Powers problems and received and debriefed Powers. Joseph E. Murphy, the security officer at [redacted] who identified Powers at the time of the exchange (See p. 96) was added to this group. [redacted] assisted Gaynor in the Powers case and also participated in the work of the ad hoc committee handling the FE prisoner cases.

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qualified him for the benefits of the Missing Persons Act (Public Law 490, 77th Congress), authorized continuance of pay and allowances, 90/ and assumed financial control, through Chief/Benefits and Services Division (Ben DeFelice), of Powers' accrued funds and allotment disbursements. Powers was an appointed contract employee of the Agency. His contract, originally written in May 1956, had been renewed for the second time on 1 November 1959, through 31 October 1960. It called for remuneration as follows:

When in General Duty Status - \$1,000 per month  
Operational Duty Status in the US - \$1,500 per month  
Operational Duty Status Overseas - \$1,500 per month

In addition to the above amounts of compensation... \$500 per month for each month of service in an Operational Duty Status overseas.

In addition to all other amounts specified, there will be payable upon termination of the appointment an amount of \$500 per month for each month of satisfactory service in an Operational Duty Status in the United States or overseas - provided your services are not terminated for cause based on misconduct or abandonment of your obligations hereunder. 91/

The contract was, of course, a classified document retained in Agency custody. Ignorance of its terms gave rise to public controversy over whether or not Powers should be paid. Some members of Congress and the press

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were very critical of Powers. Public attitudes in the early 1960's inclined towards severity in judging prisoner-of-war behavior. Powers was faulted for failing to destroy the aircraft -- and by some for not destroying himself. His confession at the Moscow trials that he was deeply repentant and profoundly sorry left the public with the impression that he had served his country badly. Much of the criticism focused on the amount of pay that Powers was drawing and whether the Government should pay the large sum which accrued during his captivity. "Our recommendation would be no," *Newsday* magazine editorialized, "he was hired to do a job and he flopped at that job. He left his U-2 behind, substantially undamaged, so the Reds could copy and improve upon it. Under the circumstances, back pay would be laughable." 92/

The press appraisal was completely wide of the mark as can be gathered from Paul Gaynor's 1973 statement in the Oral History:

Mertz [of CI Staff] and I spent two months of the summer of 1960 conducting interviews, attempting to come up with an estimate of things Powers could have known. For example, at this time there was a follow-on [to the U-2] project, to wit, a bigger and better aircraft. We learned that there was considerable speculation among the pilots of the U-2 project about the possibility of technological unemployment,

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about retraining to meet the challenge of a faster, higher-flying aircraft. We had to assume that this was the kind of thing that Powers could be forced to reveal.\* Powers also had been in the program from the beginning and he knew a great many of the personalities involved, not only the pilots, but the back-up people, logistics, security, all the support elements.... Our debriefing of Powers (in May 1962) ran about two weeks. He also had some polygraph testing during this period by one of our senior polygraph operators. We were totally satisfied with the results. In fact, we in the debriefing team were satisfied all the way through with Powers' behavior. There had been General Order Number 6 published not long before his last flight by the U-2 project. DPD authorized the pilots if they went down in hostile territory to acknowledge their true employment. That I recall very vividly because when I first went on the Damage Assessment Team at DPD HQS in the 1700 block of H Street, one of the first questions I asked [was] who released Powers from his obligation under the Agency Risk of Capture Regulation. Then I was shown the DPD General Order.... In addition (to the Board of Inquiry), Mr. McCone, who was then the DCI, had an Air Force Group headed by General Blanchard, the Inspector General, as a separate Board of Experts who addressed themselves to Powers' statements of facts as to how the U-2 broke up. Subsequently, after the Board of Inquiry and its favorable findings, Powers had to make an appearance before the Senate Foreign Relations Committee. He told his story in his own words as to the way it happened with a very minimum of questioning and received the thanks

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\* What bothered Powers most, he later told Gaynor, was what he knew from pilot scuttlebutt about the replacement for the U-2. Strangely enough the usually efficient Soviet interrogators never asked.

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and appreciation from practically the total committee membership. Senator Goldwater, in fact, wrote him a note which he handed to Powers across the hearing table, congratulating him for his performance. 93/

All doubts on the pay issue were removed by a Board of Inquiry convened at Headquarters with retired Federal Appeals Court Judge E. Barrett Prettyman presiding. The Board completely cleared Powers of any misconduct and sustained Powers' contention that he had followed preflight instructions -- to acknowledge CIA affiliation and tell the Russians, in effect, only what they already knew. The Board issued a public statement in March 1962 which said, "accordingly the amount due Mr. Powers under the terms of his contract will be paid to him." 94/\* DeFelice further clarified the actual payments due Powers:

About Gary Powers' employment status: In those days contract employees were not eligible for the Federal Employees Group Life Insurance program (FEGLI) so the OSA U-2 pilots were given a special insurance commitment authorized by the DCI. So that we (in Personnel) could develop insurance policies that would add up to the insurance commitment, the U-2 pilots were employed on a special employment arrangement which made it possible for them to be eligible

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\* This 11-page statement released by the Board of Inquiry describes the instructions given to pilots in case of capture. It also contains a detailed account of the shoot-down and Powers' efforts to free himself from the wingless fuselage as it fell toward earth, a struggle which prevented him from activating the destruct mechanism.

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for FEGLI and UBLIC as well as hospitalization. It was this appointment that made it possible for Powers to be placed in a Missing in Action status. By law, this authorized the Director, whose authority was delegated to the Director of Personnel, to continue Powers' pay and allowances as they were when he was captured, and this was precisely what was done during the years of his imprisonment. Upon his release, however, a question came up about one aspect of his contract, namely the five hundred dollars that would be paid him for each month of satisfactory service in an operational duty status. It was this five hundred dollars that had been accruing over the years that became the subject for discussion in terms of whether the Board of Inquiry would find Powers' conduct satisfactory during his imprisonment. It was this aspect which led to some conjecture in the outside world as to whether any of this salary would be paid to him. Actually, there was no question about his salary payment at the level it was when he was captured. The only question had to do with the five hundred dollars [per month] over and above for satisfactory service. When the Board of Inquiry finished its work and Powers was given a clean bill of health, this amount was then released to him along with his other funds. 95/

On 10 February 1962 Powers' "Missing in Action" status was cancelled, a first for the Agency; and on 5 March 1962, his contract was reinstated and he was placed in the general duty status with compensation of \$1,000 a month.

After the Senate Hearings in March 1962 and a spell in Georgetown Hospital, Powers was assigned to the Office of

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Training until his resignation on 15 October 1962. The Air Force refused to reinstate Powers on the active duty list, an action which Powers felt was a breach of the agreement by which he came to the Agency. He became a test pilot with Lockheed under Clarence L. (Kelly) Johnson, vice president of Lockheed's Advanced Development Projects, who had designed and built the U-2.

Even the subject of awards was misinterpreted in the Powers case. Approved for the Intelligence Star in April 1963, Powers did not receive it until 1965, some two years after the award ceremony for his contemporaries in the famous 10-10 squadron. 96/ Understandably, Powers took a rather dim view of this exercise, as noted in his book:

Compared to the broken promise regarding my Air Force service it was decidedly minor... yet, indicative of a pattern. On April 20, 1963, at a secret ceremony which took place in the Los Angeles area, a number of pilots who had participated in the U-2 program were awarded the Intelligence Star, one of the CIA's highest decorations. There was one exception. Francis Gary Powers had not been invited.... It wasn't too difficult to deduce the reasoning behind it...the public is already down on Powers because they think he told more than he should. We can't divulge what he withheld. Since he's already been made the scapegoat, why not leave it at that?... In April 1965 I was asked to come back to Washington

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to be awarded the Star. My first reaction quite frankly and bluntly, was to tell them to shove it.\* 97/

In its human aspects, the Powers case differed materially from the previous Missing in Action cases. Powers came from a large closely knit family that was precipitated almost overnight from the obscurity of a Virginia mountain community into the world spotlight, including attendance at the Moscow trial. It was the father who took the lead in pressing for his son's release. Oliver Powers was an ex-coalminer, soldier, and farmer, who, in May 1960, had his own shoe repair business in Norton, Virginia. He was convinced that if only he

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\* *The Washington Post* of 5 May 1965 finished up its account of the award in these words, "At least two mysteries remain. Why CIA wanted to bestow an award on its most famous employee -- one who brought the Agency under public scrutiny -- and, second, why CIA waited five years to do so." However, Col. Robert Gaynor, long-time Recorder of the Agency's Honor Awards Board, in a telephone conversation with the author on 26 June 1973 stated:

The delay was without significance. This is a self-pitying thing on the part of Powers. He wasn't around in 1963 when everybody [in the squadron] was approved for the Star. General Carter led a delegation out to Los Angeles for the presentation. There were three different levels of awards, a whole suitcase full, in fact. The men were not allowed to retain the awards but had to give them back after the ceremony. At the ceremony, Kelly Johnson asked General Carter, "Shouldn't Powers have one of these?" to which General Carter responded, "I think that's a (footnote continued on following page)

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could get to talk with Khrushchev as one farmer to another, he could win his son's release. Spurred on by journalists (*Life* magazine paid all his expenses) and by local friends, including a lawyer named Carl A. McAfee and Sol Curry, a Norton, Virginia, department store owner, the father addressed appeals to the Soviet Premier and sent a letter to Colonel Abel suggesting that an exchange be initiated. He would have nothing to do with the two lawyers, Alexander W. Parker and Frank W. Rogers, named by the Virginia Bar Association at the request of the State Department to defend his son, or with the US Government. He never quite understood the subtleties of his son's relationship to the CIA so that his actions were more of a problem to the State Department than they were to the Agency until Gary Powers managed somehow -- and at sometime during the Moscow trial -- to get the word to his father to lay off the journalistic enterprise. 98/

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(footnote continued from previous page) great idea." The decision to award the Star was made there but the presentation deferred until Powers could keep the award. There was no mass or simultaneous release of decorations; in fact, I [Gaynor] can remember having them in my safe for years. Col. Gregory, the commanding officer of the squadron, was among the last to get the medal, although awarded in 1963.

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It was a different story with Power's wife, Barbara. (b)(3)  
Witting of her husband's employment, she became more and  
more of a [redacted] to the Agency as her [redacted] (b)(3)  
[redacted] under the stress and strain of  
publicity, her husband's captivity, and her own ill-ad-  
vised actions. Powers had left no allotment instructions  
of any kind since his wife was residing overseas with  
him at the base [redacted] at the time of the (b)(1)  
fateful flight. Armed with a power of attorney, Mrs. (b)(3)  
Powers, who was childless and without family obligations  
of any kind, set out to secure most of her husband's  
accrued salary and allowances for her own purposes. This  
aspect of the case became a major headache to the Direc-  
tor of Personnel as the Government administrator under  
the Missing Persons Act. Ben DeFelice, the OP represen-  
tative in the negotiations with Mrs. Powers, described  
the situation as follows:

On 1 May 1960 I was called to a meeting at  
the Matomic Building (I recall it being at  
17th and H Streets in town) which was then  
the headquarters for the OSA predecessor  
organization. I learned then that Francis  
Gary Powers was missing in an overflight of  
Soviet Russia. In the coming weeks I was  
invited to join the team to go down to the  
Greenbrier Hotel in West Virginia. Mrs.  
Powers was to meet us there for a discus-  
sion of the various aspects of her husband's  
imprisonment. My responsibility was to dis-  
cuss allotment needs with her. I can recall

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today as clearly as then how she would be so pleasant when we talked about everything excepting money [redacted] got to the money, how unpleasant she [redacted] In effect, her position was that she wanted all of her husband's pay and that we had no right to decide what portion of it should be withheld and what portion should be given to her. In advance of this meeting and based on some early assessment that we would have a difficult time with them, I had discussed the range of our allotment with the Director of Personnel, Gordon Stewart, who authorized me to go up to \$500 a month. I also met with Larry Houston, the General Counsel, to cover specifically the fact that Mrs. Powers had in her possession a power of attorney that would require the Agency to give all of Powers' money to Mrs. Powers. Mr. Houston informed me that if she took us to court on this power of attorney that we would probably lose because the powers specifically covered the circumstances of his being in prison or captured or otherwise in the missing status. Nonetheless, Houston said he would support us in trying to preserve Powers' pay and allowance file and in trying to give her a specific amount. We were at Greenbrier several days and each time we would talk money, the very same thing would happen. Barbara Powers insisted on getting all the money, otherwise she would sue us using her power of attorney as the basis for her claim that she was entitled to all of her husband's money. On the way back from the Greenbrier, we were then in a four-seater aircraft, Mrs. Powers wrote a letter note on a piece of paper and handed it to me. The note said \$500 is all right. When I came back, the Director of Personnel then authorized an allotment of \$500.\* In the coming months

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\* In a 14 March 1962 memorandum of meeting with Powers, DeFelice said that (footnote continued on next page)

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and years, the relationship with Barbara Powers, at least from the financial point of view, wasn't all that bad but she did [redacted] for the Office of Security. 99/

(b)(3)

The difficulties of the financial negotiations with Mrs. Powers pale in comparison to the problems she presented to the Agency's security officers. One of the senior OS professionals, Paul Gaynor, has recorded this Faulkneresque tale:

We also had various and sundry problems in the handling of Powers' wife, who was returned to her home town of Milledgeville, Georgia, after Powers was shot down.... We were fortunate in being able to establish a relationship with her [redacted] a very dedicated man. He had fought in WWII as a paratrooper in the 82nd Airborne Division, a platoon leader, and had [redacted] after the war. [redacted] and [redacted] tried to keep Barbara as much as they could. She became involved in a whole series [redacted] around the [redacted]..probably in the period of her husband's incarceration she

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(footnote continued from previous page) Powers told him privately that he wished the Agency had not given his wife any allotment although he appreciated the predicament caused by the power of attorney. 100/ The Powers were divorced in January 1963. Powers married [redacted] Claudia (Sue) Edwards Downey in October 1963 and is currently living with his second wife and children in Los Angeles.

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- 93 -

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We also had in this period, through our security field representatives, the total support of the [redacted]

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[redacted] and in the one episode that occurred

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It [Powers' loss] was not the basic cause.

[redacted] Powers was a good old country boy, a fairly simple modest, retiring type of person, although technically considered the best pilot in the program.

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This [redacted]

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The assignment was part-time for me but I had two officers, [redacted] and [redacted]

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[redacted] who spent a good deal of time on the case. There was another officer, [redacted]

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[redacted] who was from Milledgeville and was affiliated with the U-2 project, and he was [redacted]

(b)(3)

As to where Barbara is now [1973], the last I knew was that she was working at a clerical job at a Marine Corps Supply Depot in Albany, Georgia, which was where she was living when she first met Powers.... She contracted a couple of marriages after Powers, the first one to get herself out from under the legal

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My connection [with the Powers] largely terminated until his wife came back here and

\* Agency insurance also took care of [redacted]

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[redacted] fees and travel expenses incurred by Mrs. Powers and her mother were also paid by the Government.

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they had an apartment in Alexandria. He called me at four o'clock in the morning, Barbara was in Alexandria Hospital, she had [redacted] She woke up [her husband] to show him [redacted]

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Fortunately for all concerned, including the Agency, the Powers case for all its intensity was mercifully brief. His imprisonment, which began with the shoot-down on 1 May 1960, ended with the celebrated exchange for KGB Colonel Abel on Glienicke Bridge between West and East Berlin on 10 February 1962. The release efforts took place at high levels in the two Governments with attorney James Donovan, who was later to serve a similar function with Castro for the Bay of Pigs prisoners, as intermediary. 102/ Paul Gaynor described his own role in the proceedings:

[Gaynor] played a role in the negotiations prior to Powers' exchange. There had been various diplomatic feelers and somewhere along the line it had become apparent to the powers that be that the Russians were really anxious to get Colonel Abel back, out of prison and back to Russia. That became the subject of a trade. Our side, I think, was a little better because there was also released another American who had been imprisoned in Russia, and an American student who was a prisoner in East Germany. The student had wandered over the demarcation

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line. He had absolutely no connection with the Agency. I participated in meetings here in the Agency and then, along with John Mertz, had meetings at the Department of State where we met with Chip Bohlen, former Ambassador to Russia who was then Assistant Secretary of State, Dick Davis, the head of the Eastern European desk, and Carl Rowan who was then the public relations officer for State. The head of the Federal Bureau of Prisons and his deputy were rather hard nosed. They were not at all happy about letting Abel go and the FBI was not happy about letting him go because they felt if they could keep him a while longer they might just break him, and he would talk. You see, Abel never talked and they were attempting to keep the pressure on him to talk about his whole operation in the States. The decision was probably made at Presidential level. In any event, they (the US authorities) acquiesced. The subject of one of our meetings had to do with where the exchange would take place. I suggested a body of water in Berlin that straddles the Wall and making the transfer from boat to boat but they finally settled on Glienicker Bridge. We were very dubious about what we might get back, that we would pass Abel over and get back someone who looked like Powers but would not be Powers, so we had a security officer, who was an assignee in the U-2 project in Turkey at the time Powers was there and knew him well. The security officer, Joseph E. Murphy, was actually on the bridge when the exchange took place and before we quite let Abel loose, the security officer was able to say, "This is Gary Powers." 103/

Once the exchange was made, events moved very rapidly. Powers was evacuated by military aircraft directly to the United States. During the next two weeks he was moved  while undergoing (b)(1) (b)(3) formal debriefing. This portion of the Powers case

- 96 -

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was largely an Office of Security operation\* with Paul Gaynor and his men successful in thwarting the hordes of reporters by a series of moves and countermoves, including auto chases on snowy roads and diversion of aircraft from original destination, having all the trappings of a television serial. 104\*\* There was,

\* Quoting DeFelice in the Oral History, the distribution of effort in the Powers case went something like this:

Unlike the Downey, [redacted] and Fecteau cases, responsibility for the various aspects of the Powers case was divided.... Powers never came in the purview of the ad hoc committee. His case was so serious in terms of the national scene and the international complications were such as to require high-level attention. We in Personnel had the responsibility for the financial arrangements and for responding to the various kinds of problems that Barbara Powers herself created. The Office of Security had the responsibility for obtaining information on what Mrs. Powers was doing. The operational aspects and eventually all the work that was associated with the Powers-Abel exchange was divided between the project itself and the Office of the General Counsel. In a meeting held in Jack Maury's office -- Jack was then Chief of the Soviet Bloc Division -- it was agreed that Larry Houston, the General Counsel, would be the focal point because of his ready access to the Director and because this case, unlike some of the others, continued to carry high international implications. Houston and Mike Miskovsky of OGC carried the principal effort on the Powers-Abel exchange. Paul Gaynor, [redacted] of OS handled Powers' return to the US, his relocation to [redacted] and the Mrs. Powers problem. 105/

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\*\* Gaynor's full statement on this aspect of the Powers case is contained in Appendix J Tape Transcripts.

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in time, an administrative meeting arranged with Powers at which DeFelice gave an account of his stewardship as follows:

Eventually when Powers was released, I met with him to discuss our handling of his pay and allowance file, I showed him all of the monies he had accrued and all the monies that had been disbursed. I remember Powers saying to me that sitting where I was the allotment of \$500 to his wife was a fair one. He did comment, however, that he wished it had been significantly less. The records show, of course, that Mrs. Powers did

[redacted] Our judgment not to give her all of Powers' money was vindicated. 106/

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The gross amount due Powers was \$52,500 plus interest minus the \$10,500 allotment total which had been paid Mrs. Barbara Powers and minus other disbursements -- car payments and the like -- which offset the interest. Powers claimed in his book that he was left, after taxes, with about \$22,000. 107/

On 12 July 1962, five months after his release, Powers signed a Statement of Financial Accounting in which he attested:

Please accept this memorandum as my acceptance of and satisfaction with the accounting which has been rendered for the period of my imprisonment -- a period which, under Agency regulations, was under the jurisdiction of the Director of Personnel. 108/

It had been anticipated, by Personnel at least, that the Powers-Abel exchange and the world-wide publicity

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that it received would cause bitterness and demoralization among the families of the other CIA prisoners. 109/ Such was not the case and a good deal of the credit for their acceptance of the Powers release was undoubtedly due to the excellent rapport that had been built up over the years by the Personnel and Security representatives.

A deserved postscript to the Powers case came in March 1964 at a dinner of the Lockheed management club, at which Allen Dulles was the principal speaker. Powers was in the audience and Dulles preceded his prepared speech with an impromptu statement:

I want to say, too, as I start, that I am gratified to be here for another reason, because I would like to say to all of you as I have said from time to time when the opportunity presented itself, that I think one of your number -- Francis Gary Powers -- deserves well of his country. He performed his duty in a very dangerous mission and he performed it well, and I think I know more about that than some of his detractors and critics know, and I am glad to say that to him tonight. 110/

15 September 1960, Three More MIAs -- The Castro Captives

Quietly, amidst the hullabaloo of the Powers case, three CIA staff employees were apprehended by the Castro G-2 on 15 September 1960. They had been assigned to an audio surveillance project [redacted] and sent to Havana on temporary duty, supposedly of

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ten-days duration. David L. Christ, GS-15, chief, Audio Support Branch, TSD; Thornton J. Anderson, GS-14, chief, Section III, Engineering Branch, TSD; and Walter E. Szuminski, GS-9, audio support specialist, [REDACTED]

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[REDACTED] were placed in a Missing in Action status on 3 October 1960. 111/ On 17 December 1960 a Cuban military court completed the trial of the three men on charges of "crimes against the stability of the state," specifically the setting of wire taps in the New China News Agency offices in Havana, supposedly to learn about a trade treaty and the establishment of diplomatic relations between Havana and Peking. 112/ [REDACTED]

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The pattern of stress and suffering placed on wives and parents by the detention of their men was repeated in these cases, although the period of detention

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Until diplomatic relations were broken off on 3 January 1961, overt contact with the prisoners was

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maintained by the US Consular Officer, Hugh D. Kessler, in Havana. 114/ After that, release efforts and communication with the prisoners were carried on [redacted]

[redacted] through the efforts of the CI Staff/DDP, with John Mertz of that staff as the focal point.

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[redacted] the security officer assigned as [redacted] Technical Services

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Division (TSD, [redacted]) handled the very complex relationships with the families, starting with the briefing of the wives on the actual status and duties of their husbands, which took place immediately after the 15 September 1960 capture. In a June 1973 conversation on the case, [redacted] stated:

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His initial contact with the cases was the day after the arrest (15 September 1960) when Cornelius Roosevelt, then Chief, TSD, called [redacted] and asked him to inform the families then living in the Washington area about the arrests.

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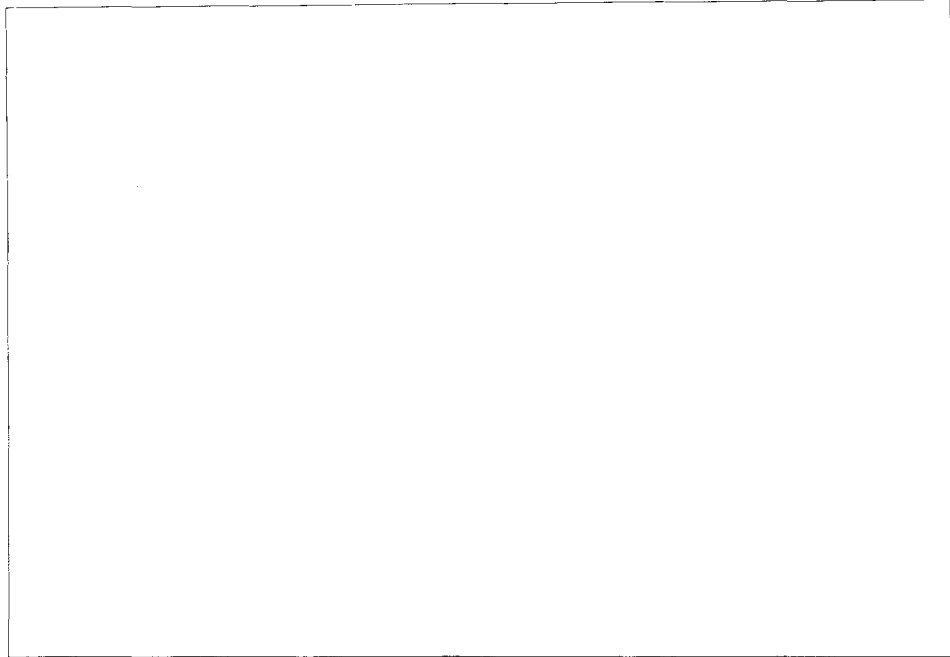
[redacted] had retired earlier in 1973 and was privately employed when interviewed. He did not want to be taped. Interviews were written up in a Memorandum of Conversation, and it is included in Appendix J Tape Transcripts. The excerpts throughout this section are from the Memorandum of Conversation.

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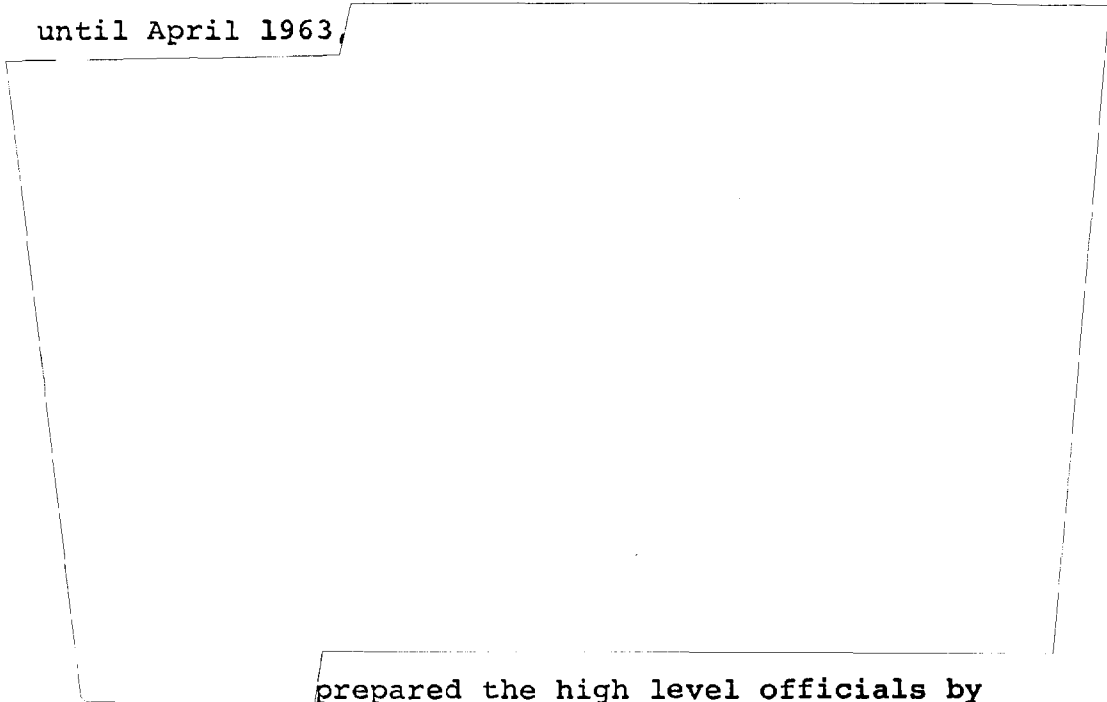
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Throughout the period of captivity, which lasted  
until April 1963,

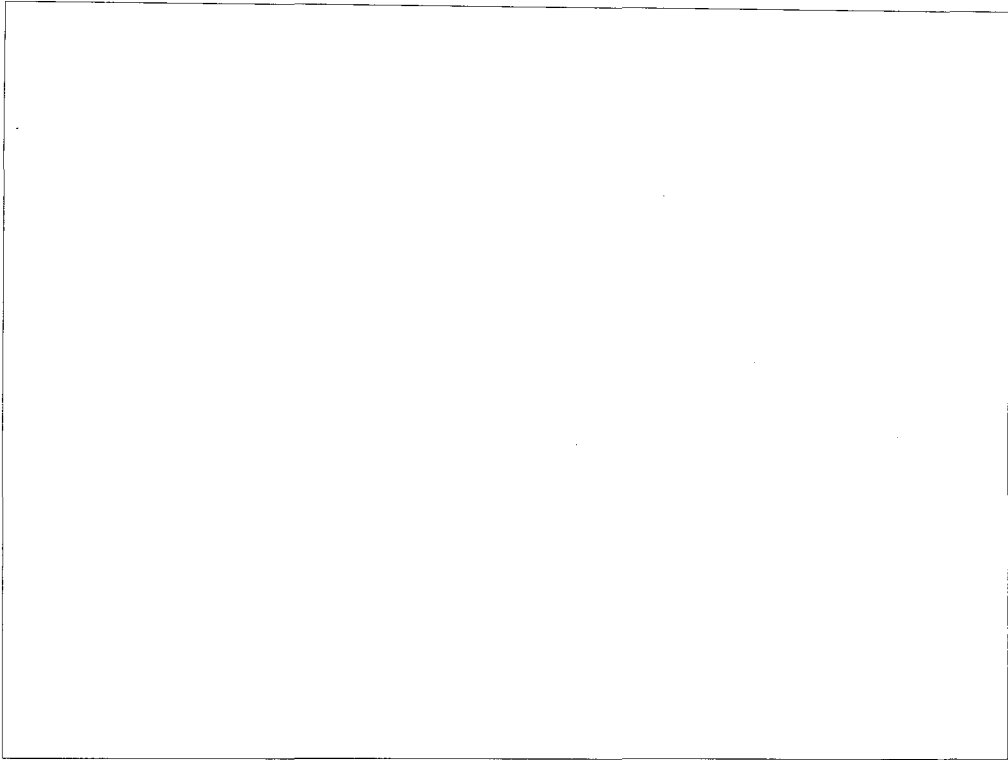


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prepared the high level officials by  
means of briefing papers and personal

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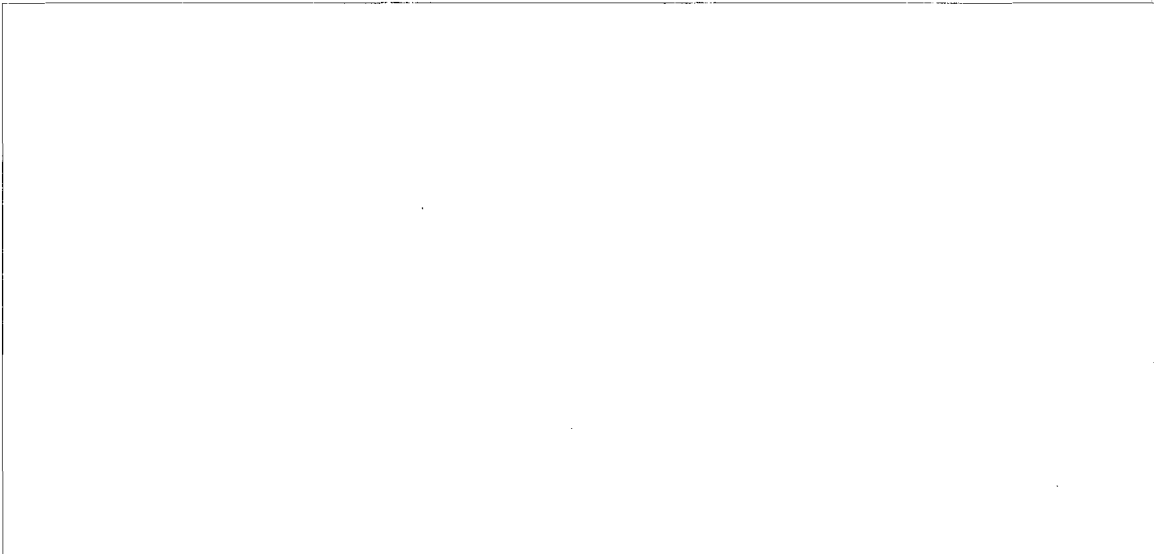


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The very real danger that Castro might turn the men over to the Soviet or Chinese authorities was the ultimate argument



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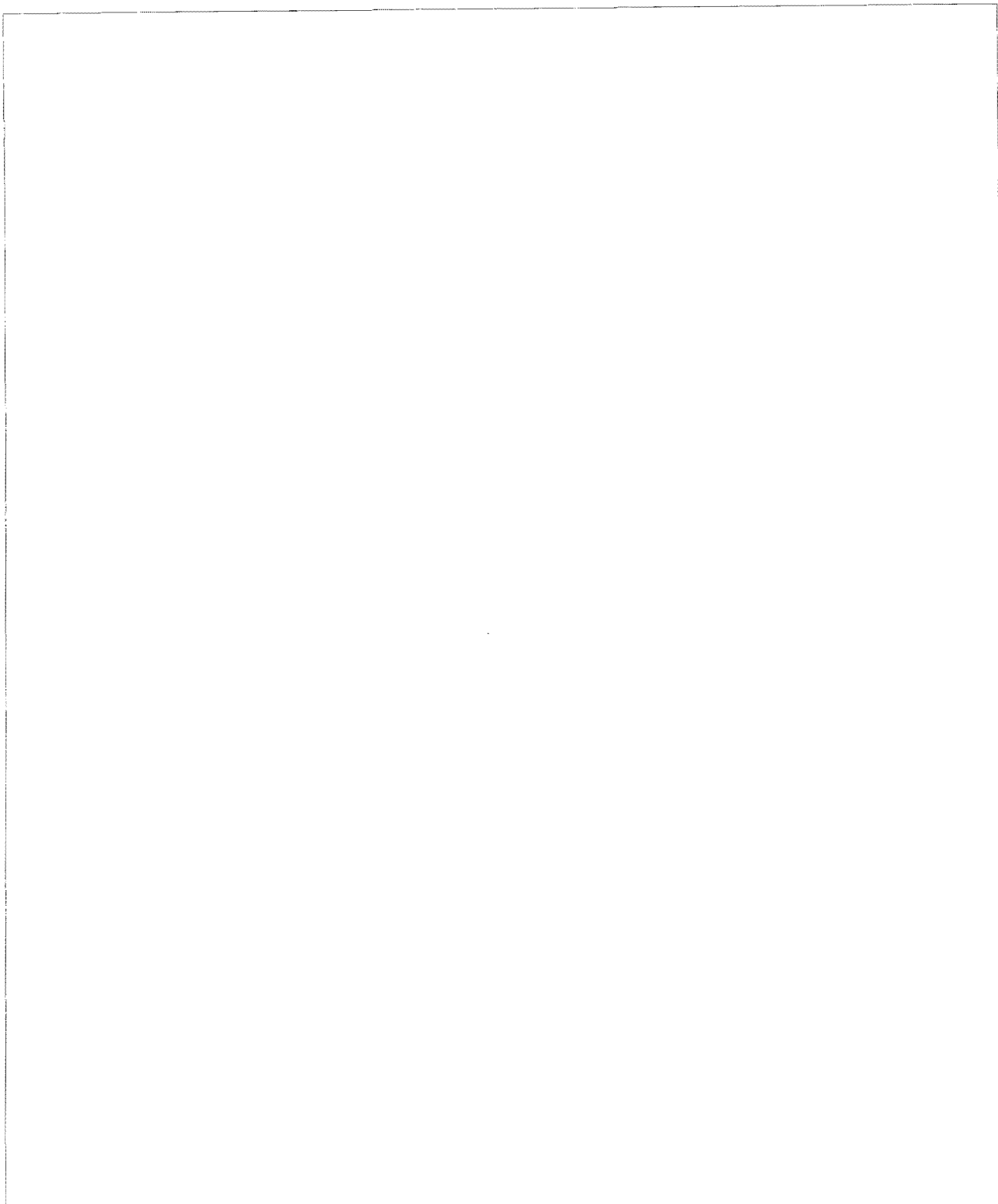
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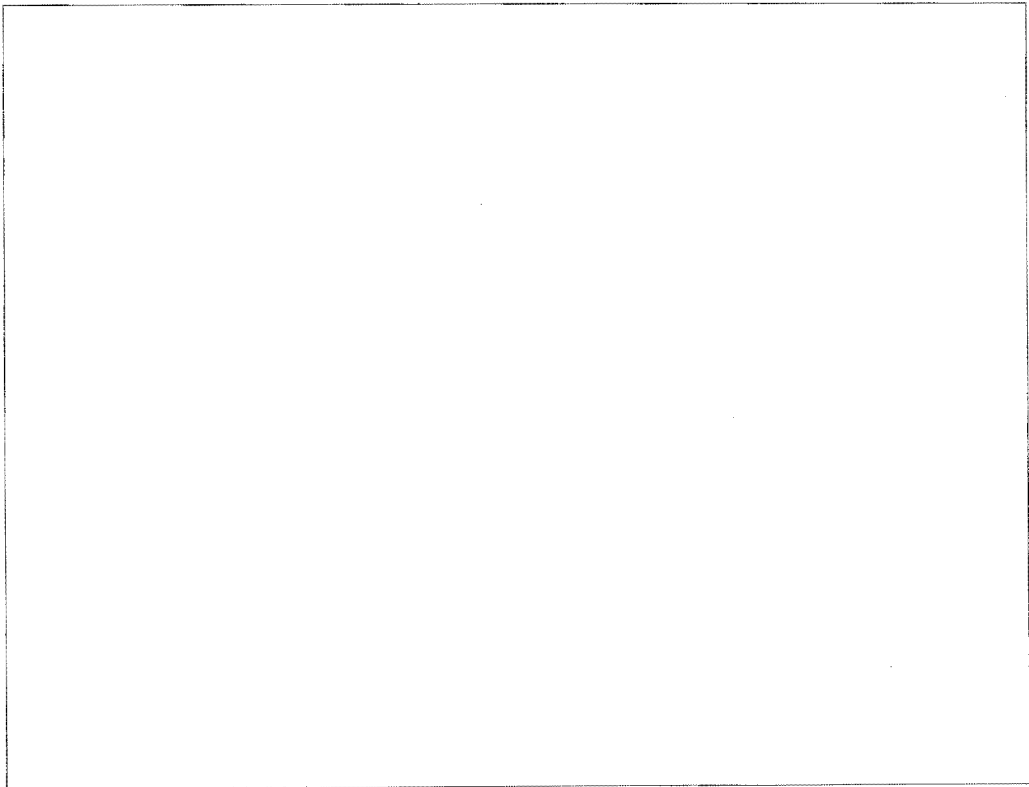
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In contrast to the Downey-Fecteau cases, the Director of Personnel and his representative, Ben DeFelice, played a minor role in the TSD detentions. D/Pers was, of course, the responsible office in placing the men in MIA status, which continued their pay and allowances, and for administering their financial affairs. DeFelice recalled that:



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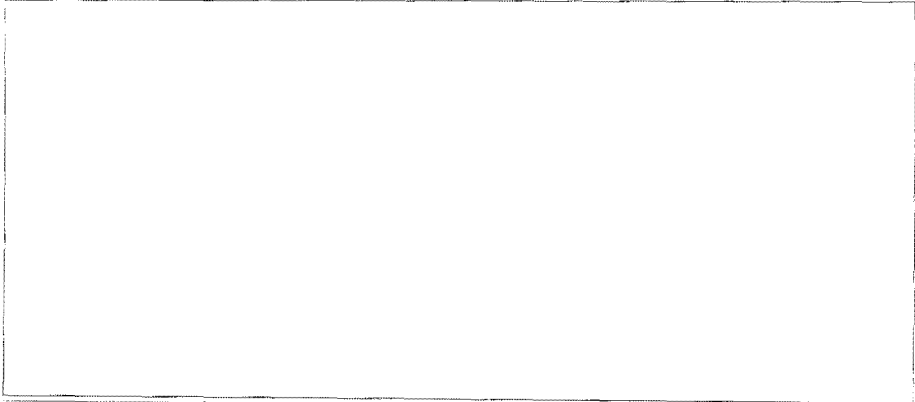


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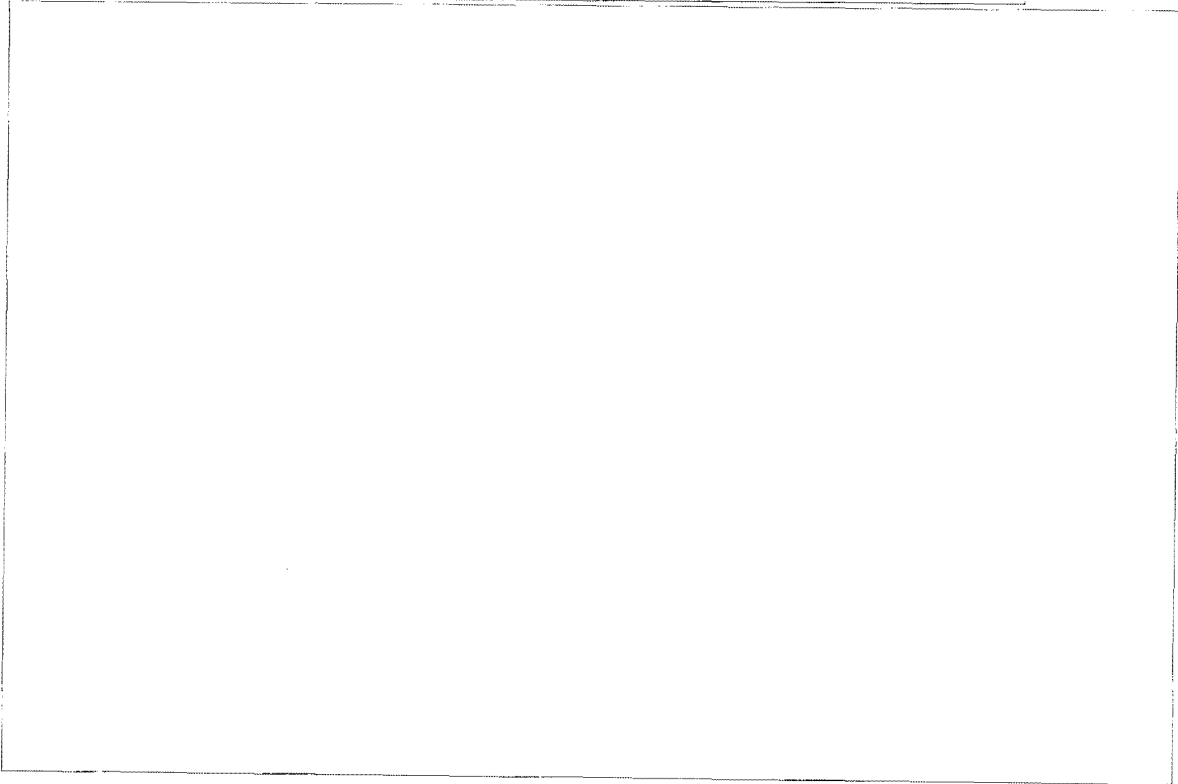
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These administrative occurrences were peripheral to the courage and spirit shown by the men and by their families during the three-year ordeal and did not detract from the care and concern shown by the Agency for their

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welfare.

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Their accounts were kept in current condition so that prompt accounting could be made to the men upon their return, enabling them to resume the conduct of their own affairs without delay. Anderson, a captain in the Marine Corps Reserve, was very worried about his ready reserve standing. When  of the Agency's Military Personnel Division, presented the problem to the Chief of Staff of the Marine Corps, Lt. General Wallace M. Greene saw to it that Anderson's active status was preserved intact throughout the period of his captivity.\*\* 123/

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\* See p. 104.

\*\* "I am happy to report," said General Greene, "that it has been possible to take all the actions that you have recommended (retroactive award of retirement credits, preservation of reserve status, etc.)." As of this writing (1973) Anderson is a colonel in the Marine Corps Reserve.

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The release efforts undertaken at high levels in the US Government with James Donovan serving as intermediary began to take effect in December 1962 when the first group of Bay of Pigs prisoners was released in return for what Castro called "indemnification" and what the US Government called "ransom."\* These efforts were later successful in "springing" the CIA men.

22 April 1963 was the happy day when the contingency plan for their evacuation was put into effect. The men were flown by military aircraft [redacted] (b)(1)  
(b)(3)

[redacted] and then released to their families for two weeks. [redacted] (b)(1)  
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[redacted] the men were returned to full duty status, Anderson and Szuminski on 2 September 1963 and Christ on 9 September 1963.

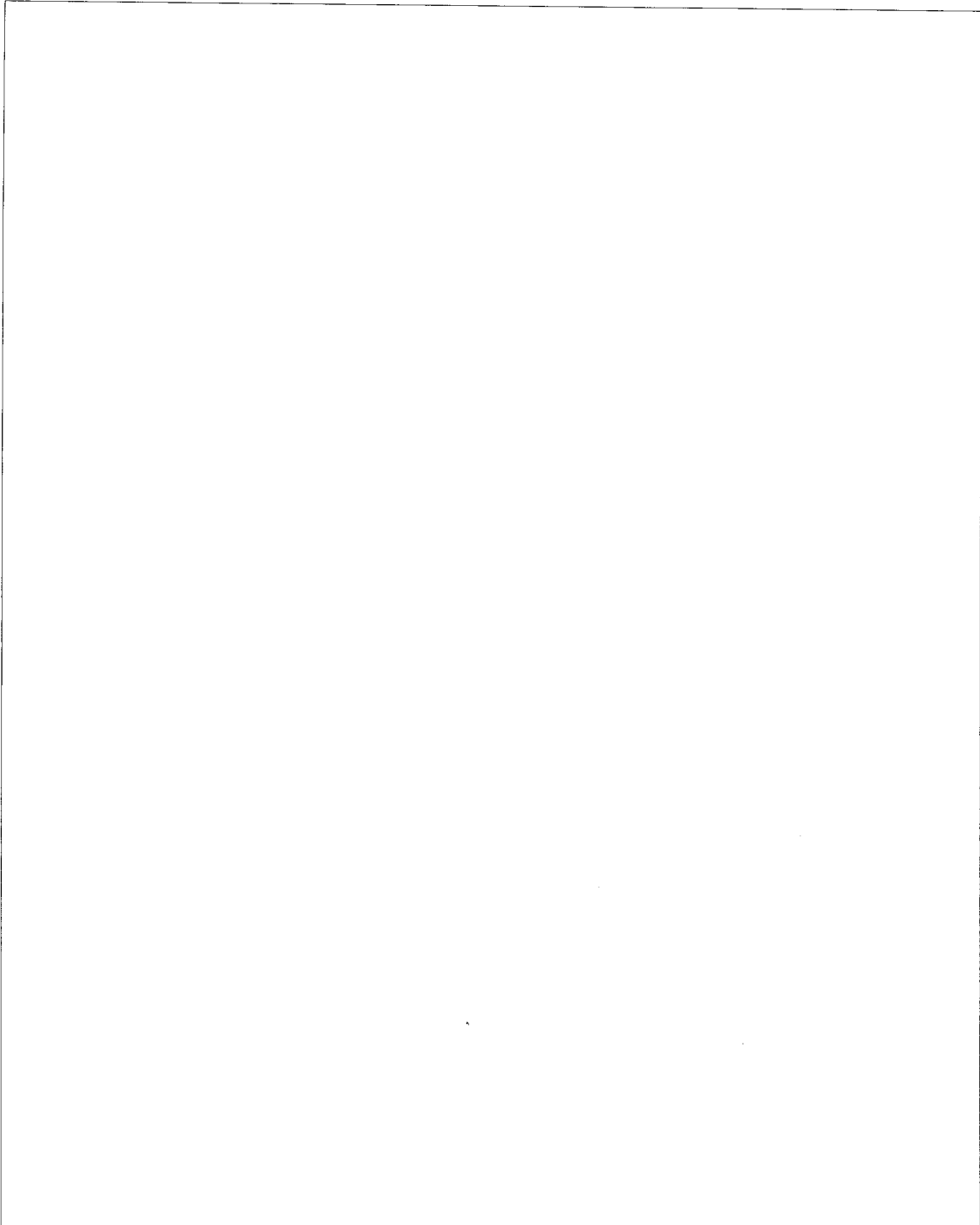
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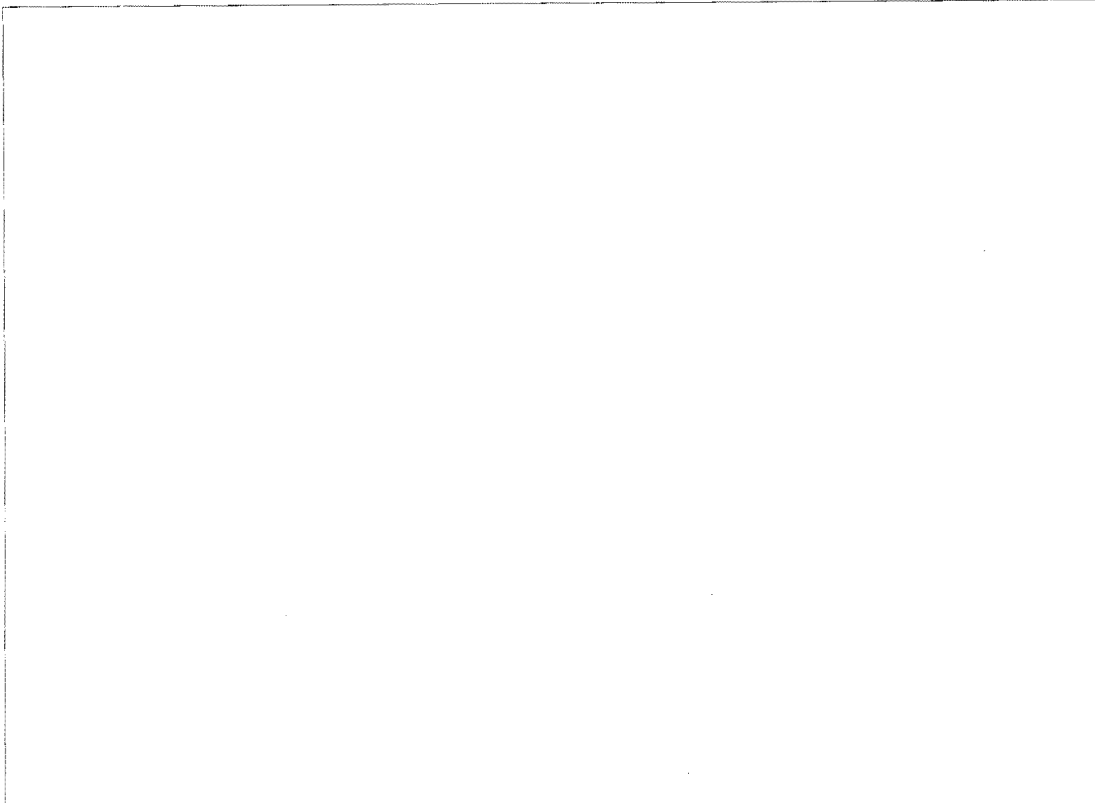
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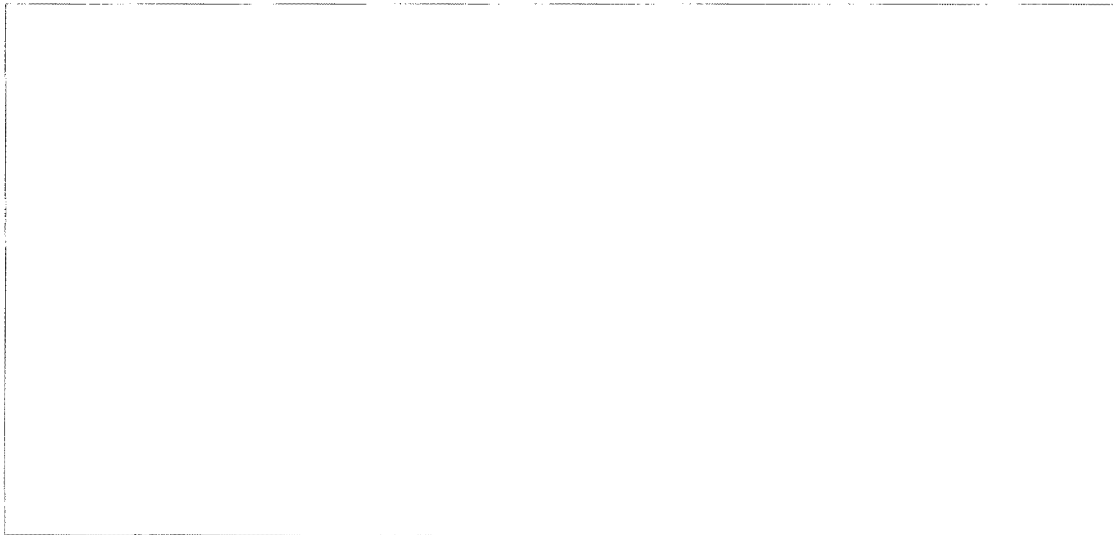
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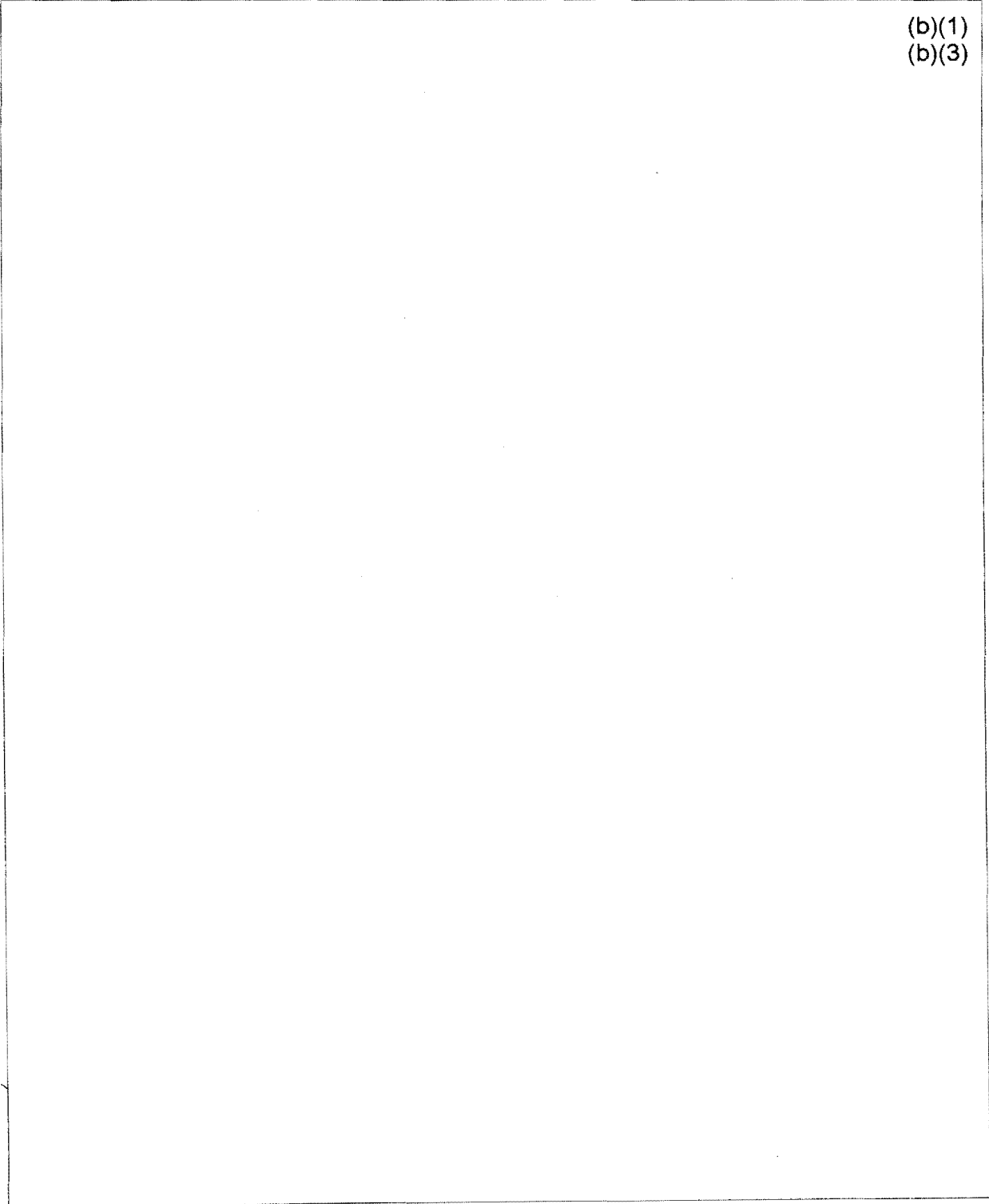
The FE Cases in the 1960's



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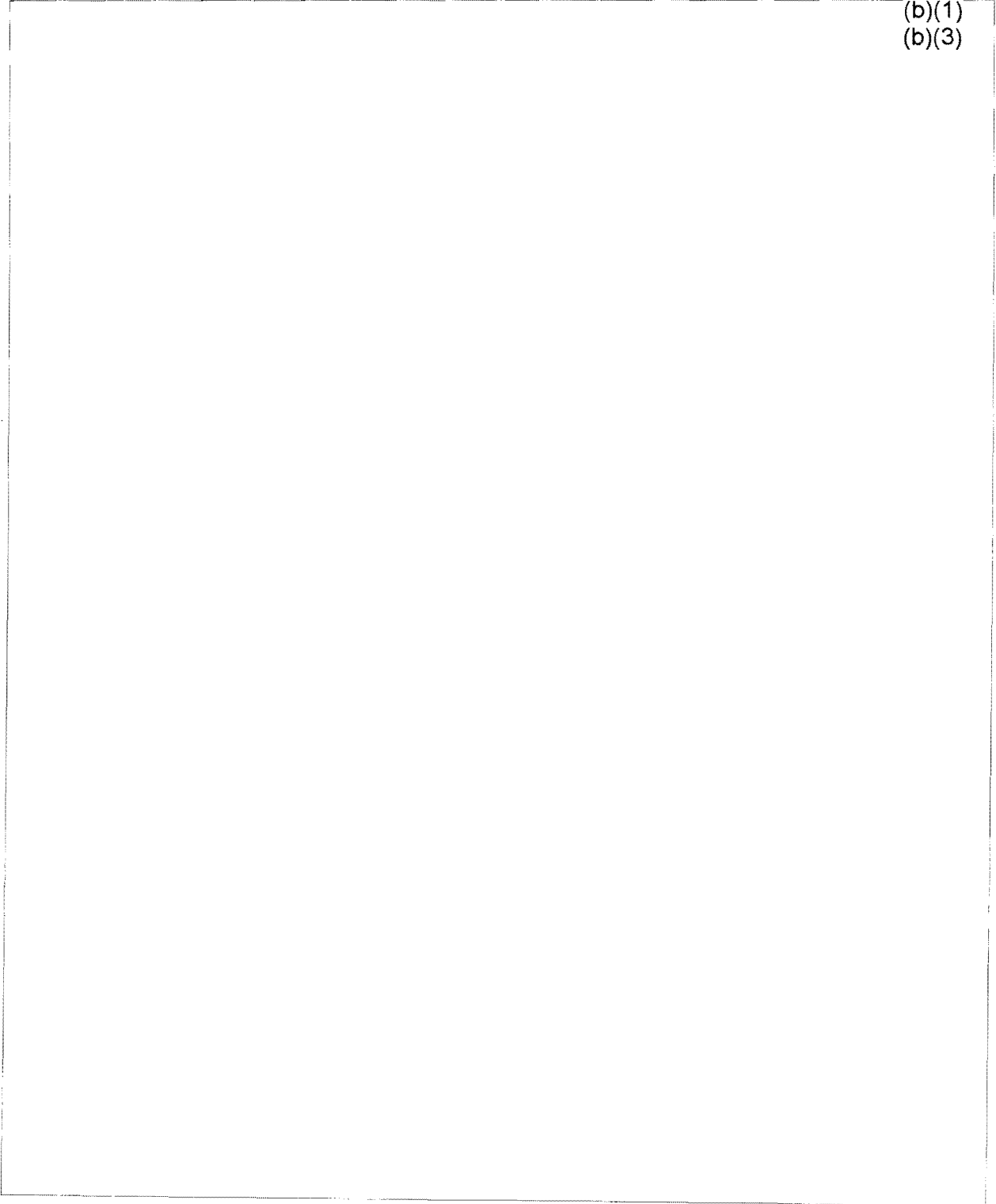
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Release Efforts (Downey, Fecteau  
in the 1960's

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[REDACTED]

DeFelice, who had assumed the chairmanship about a year after the ad hoc committee was turned over to the Director of Personnel in September 1958, was faced with a difficult situation in trying to generate Agency release efforts:

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Our committee met infrequently in early part of the 1960's. Eventually through sheer frustration, I visited the Chief, FE, then Bill Nelson, and requested that he commit FE fully to efforts to secure the release of our prisoners, [so that] we could satisfy our own conscience that we were meeting and talking and doing the best we could about our prisoner cases. The visit had its pay off. Soon thereafter our committee became very active and started to work very diligently on efforts to secure the release of the men. I must add, however, that our work was somewhat hollow because we did not believe that there was anything we could conceive of that would actually result in their release. 136/

At least one channel was available. On the diplomatic front, the two countries were still in contact through means of the ambassadorial-level talks in Warsaw. For 15 years the prisoner issue had been

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a prominent and quickly-passed-over agenda item (b)(3)



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The appointment of a new DCI, John McCone, caused some stirrings at high levels in anticipation of his taking office on 29 November 1961. Attention was called to the prisoners as can be seen in the following diary note of L. K. White.\*

Larry Houston buzzed to say that in connection with Mr. McCone's reception he thought that Mr. McCone might be briefed on the number of people in captivity and what is being done about their release. He also suggested that we might set up a permanent committee to meet periodically to see whether anything could be done about their release. We are inclined to do quite a lot on the Powers case, the Pope\*\* case, and others and to more or less resign ourselves to the unhappy fact that people like Downey and Fecteau will never be released. I told him that I thought his point was well taken and that it would be good to come forth with such a recommendation. 138/

The indefatigable Mrs. Downey was quick to request an interview with the new Director and their 4 March 1962 meeting was preceded by the usual flurry of staff activity

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\* Col. White was Deputy Director for Support in 1961.

\*\* Allen L. Pope, Civil Air Transport pilot on loan to Air America, was shot down while attacking Indonesian shipping in May 1958.

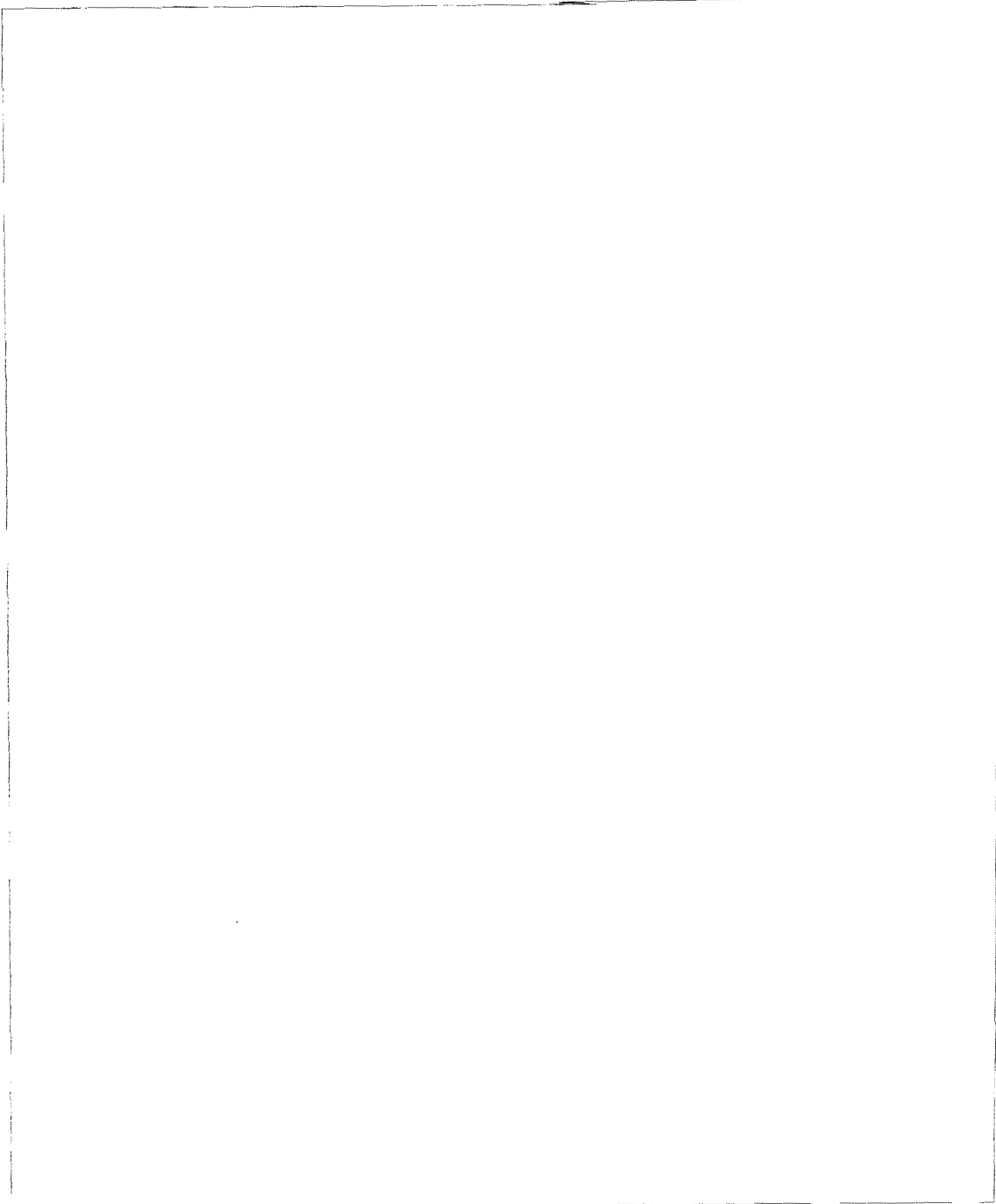
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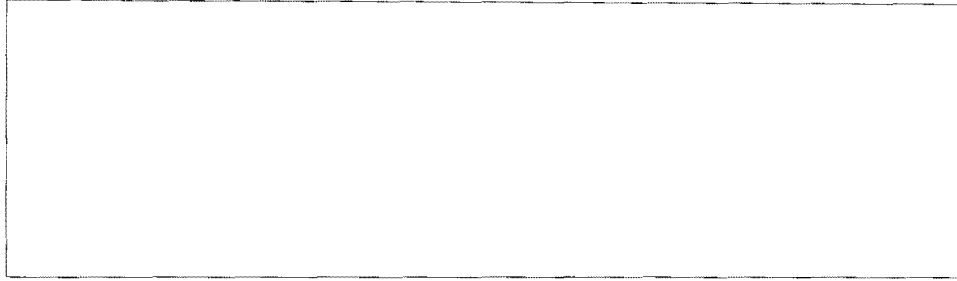
in the organization 139/ and accompanied by a revival  
of interest in the case.



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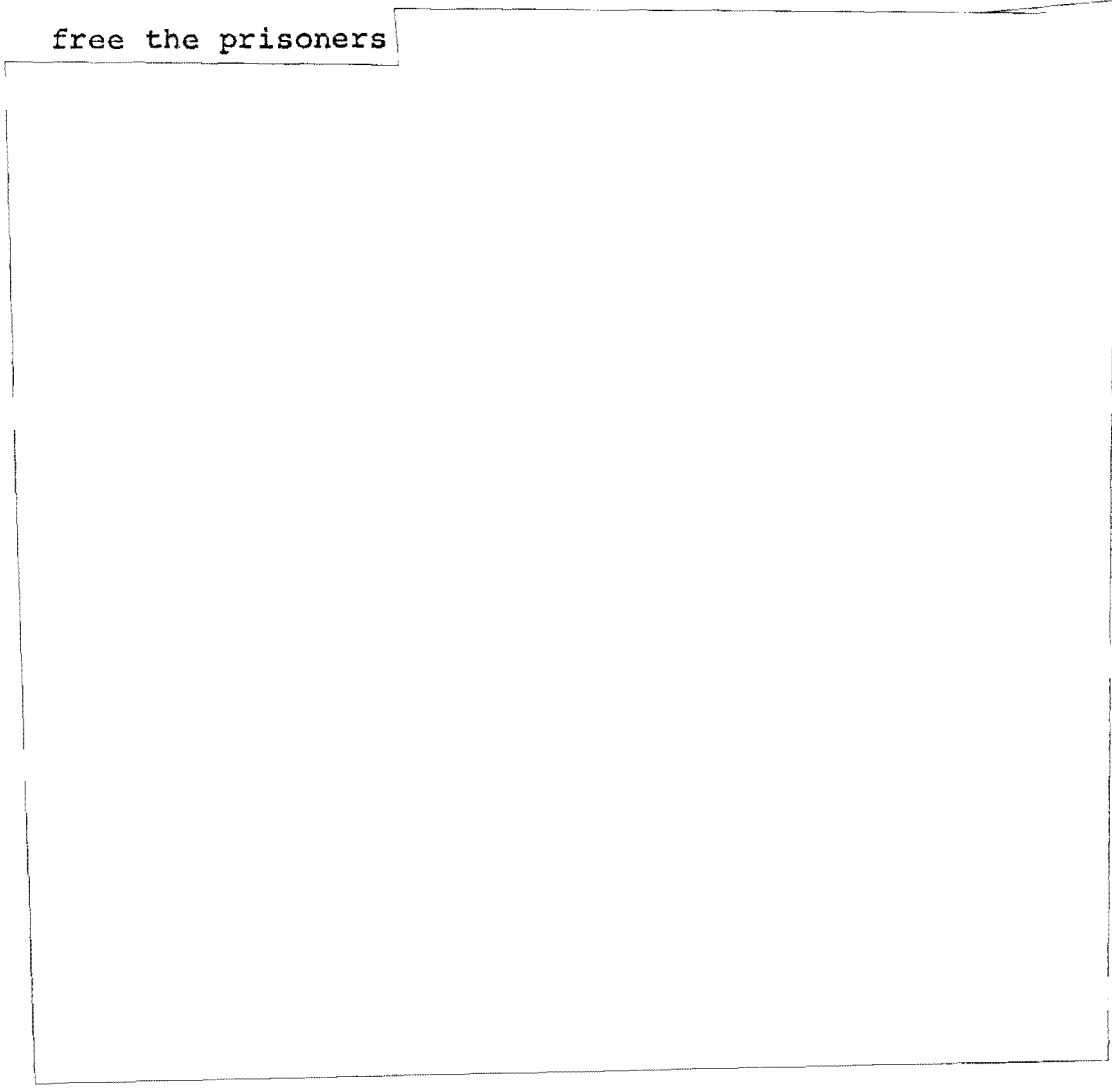
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Spirits had recovered enough by April 1962 to make it a highwater month for the sixties, the efforts to free the prisoners



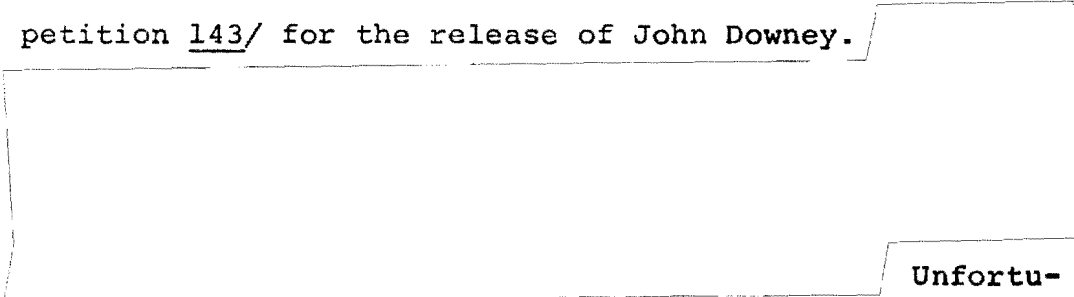
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Also in April of 1962 the 1959 petition\* ostensibly originated by the British attorney, G. E. S. Stevenson, in Hong Kong was revived in the form of a supplemental petition 143/ for the release of John Downey.

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Unfortu-  
nately, the supplemental petition fared no better than the original.

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\* See p. 56, above.

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The flurry of activity and the bright hopes for release of the prisoners soon faded as it became evident that the new and vigorous Kennedy Administration would accomplish no more than previous administrations vis-a-vis China. Throughout the 1960's the two nations remained mutually distrustful, and the prisoner issue was one stumbling block to any easing of the tension as evidenced in the Warsaw talks.

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In all the litany of sorrow and suffering endured  
by the women in their lives [redacted] (b)(1)

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[redacted]  
the indomitable will and heroic voyages of the widowed  
Mrs. Mary Downey,\* the quiet pride and resignation of the  
Fecteous, in this case both father and mother [redacted]

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[redacted]  
In June 1968 the State Department, in a letter to  
the Chinese Charge in Warsaw, inquired officially about  
the survival of airmen shot down in China [redacted]

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\* DeFelice reported before the 1960 visit, "Tearfully she  
(Mrs. Downey) said that the trip would be well worth it if  
for just a short while she brought some hope and cheerfulness  
to her son. Her motive in going is simply to relieve Jack's  
prison life for those few hours that she might spend with him."  
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in Chinese custody, i.e., Bishop Walsh, of Maryknoll, John Downey, and Richard Fecteau be released and allowed to return home.

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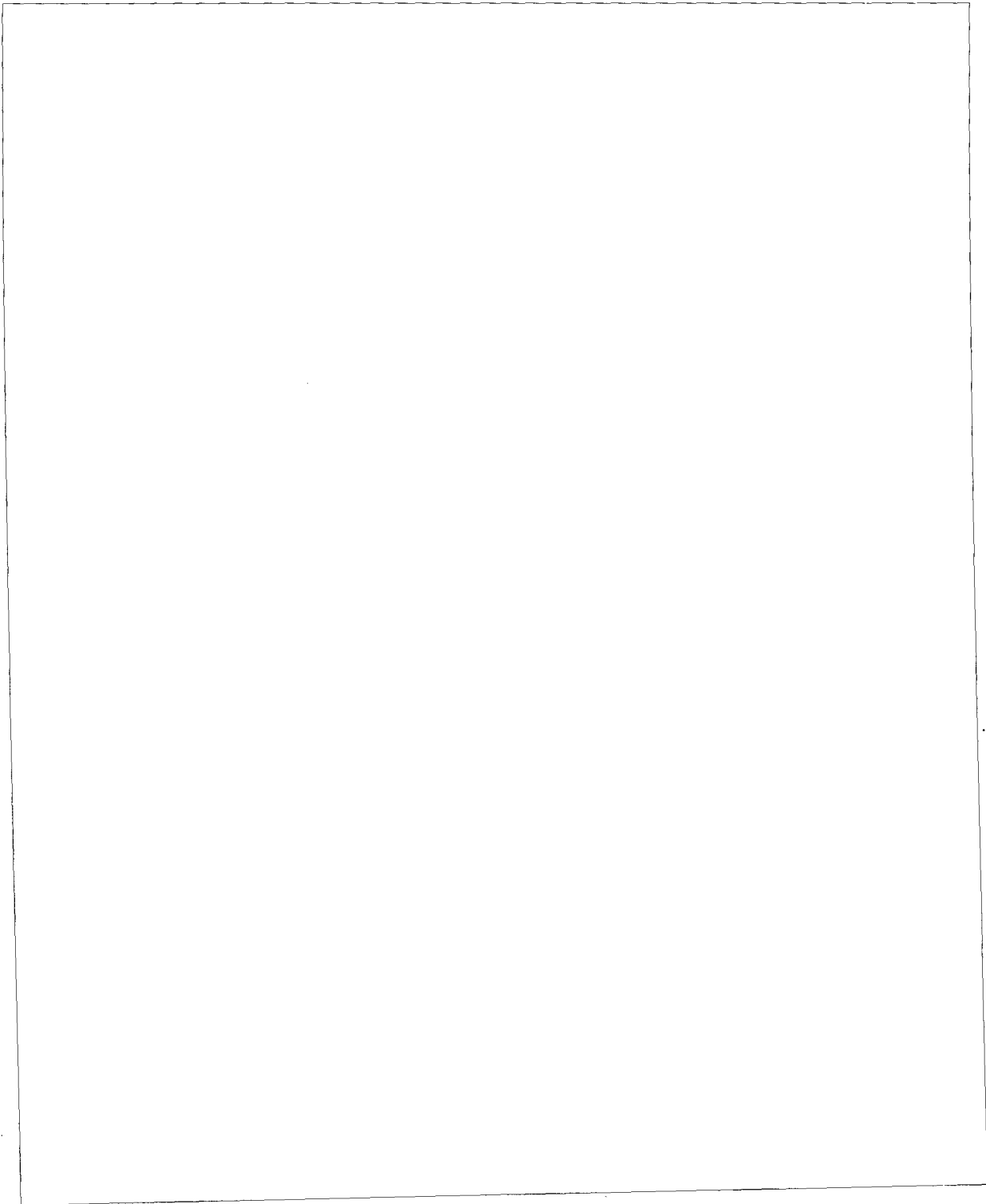
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The Missing Persons Act of 1942, as amended -- and Agency experience contributed to the amending process 156/ -- formed the legal base for the actions taken by the five different Directors of Personnel\* who served as Government administrators for the prisoners' affairs.

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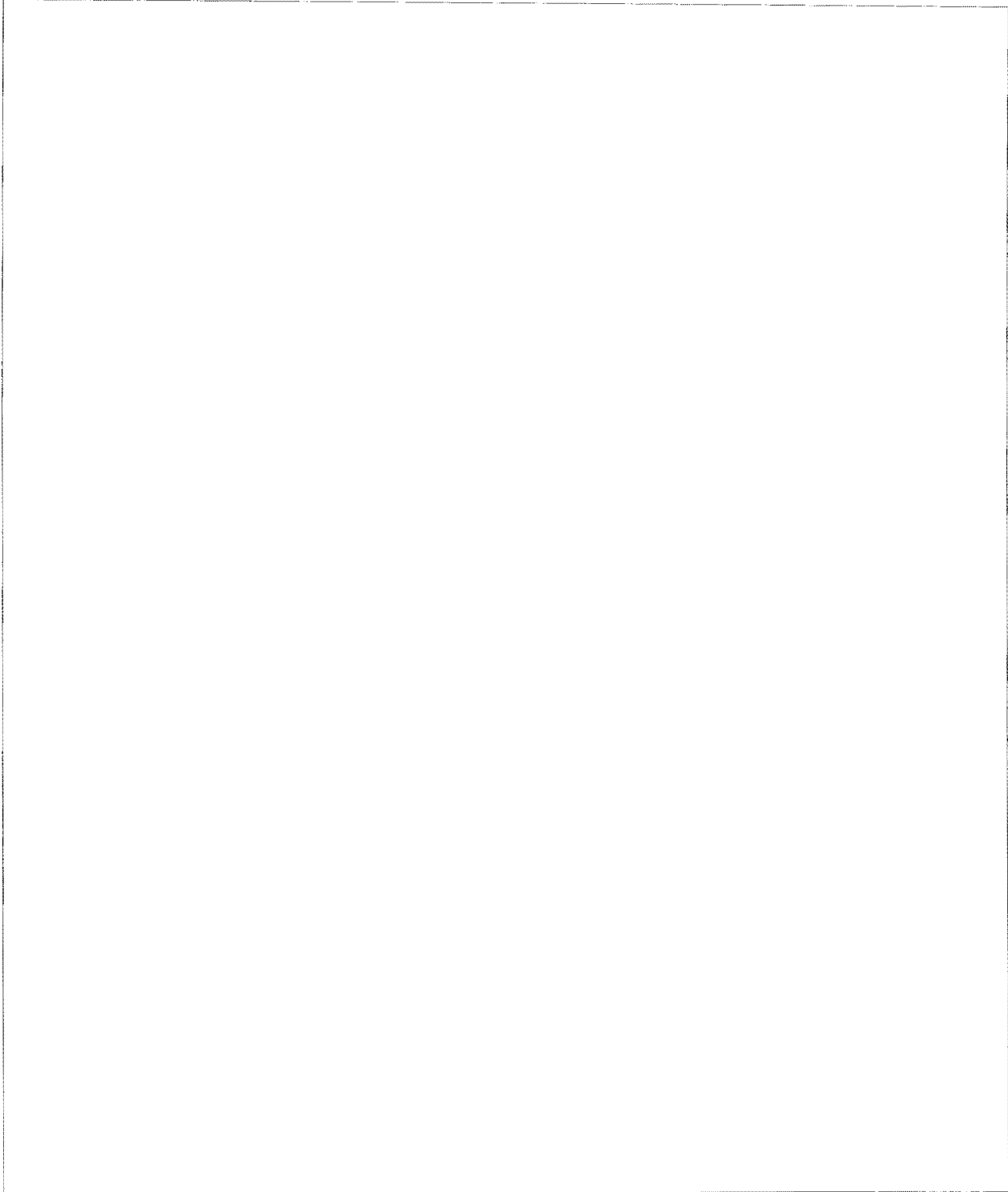
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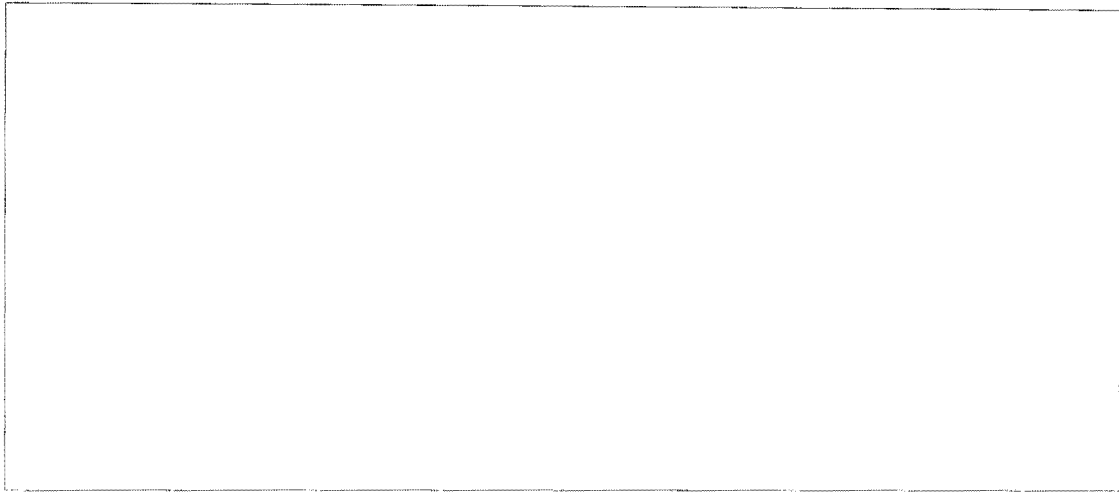
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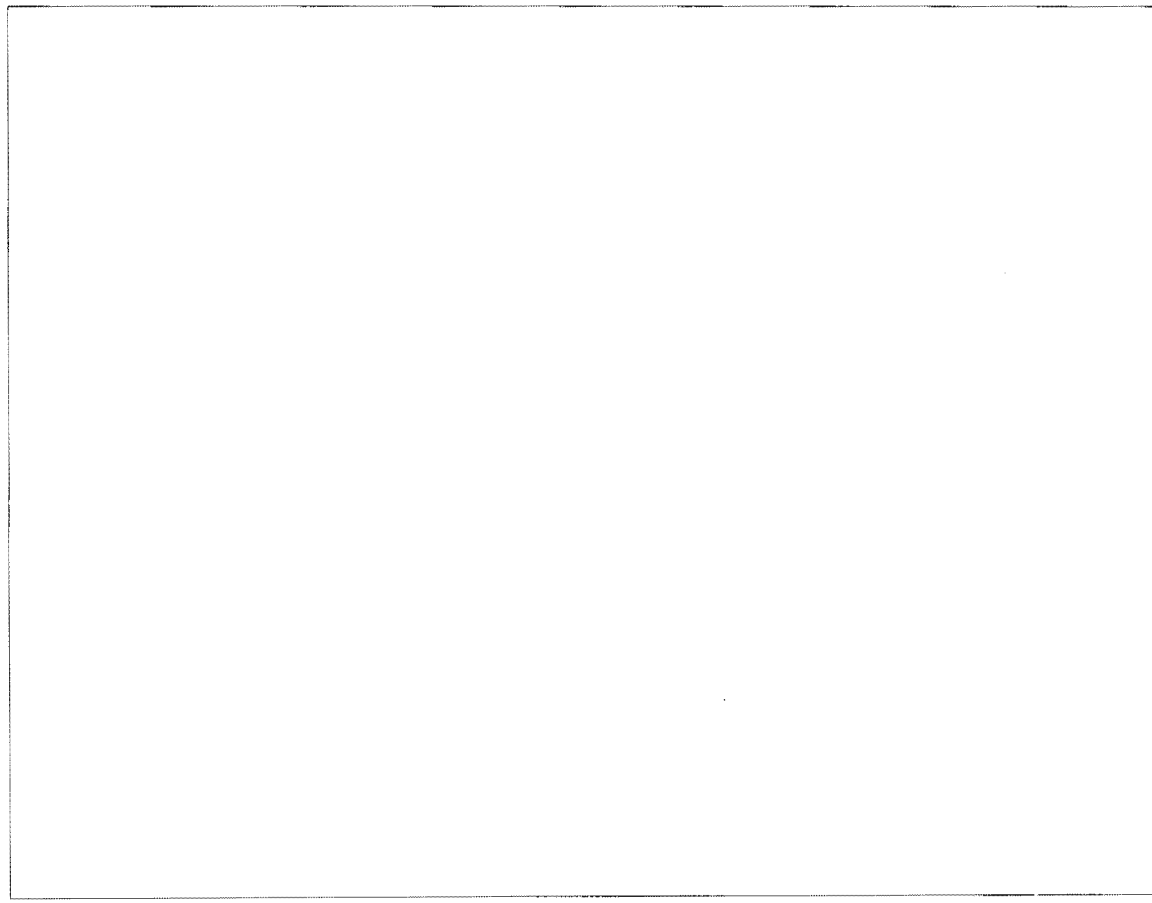


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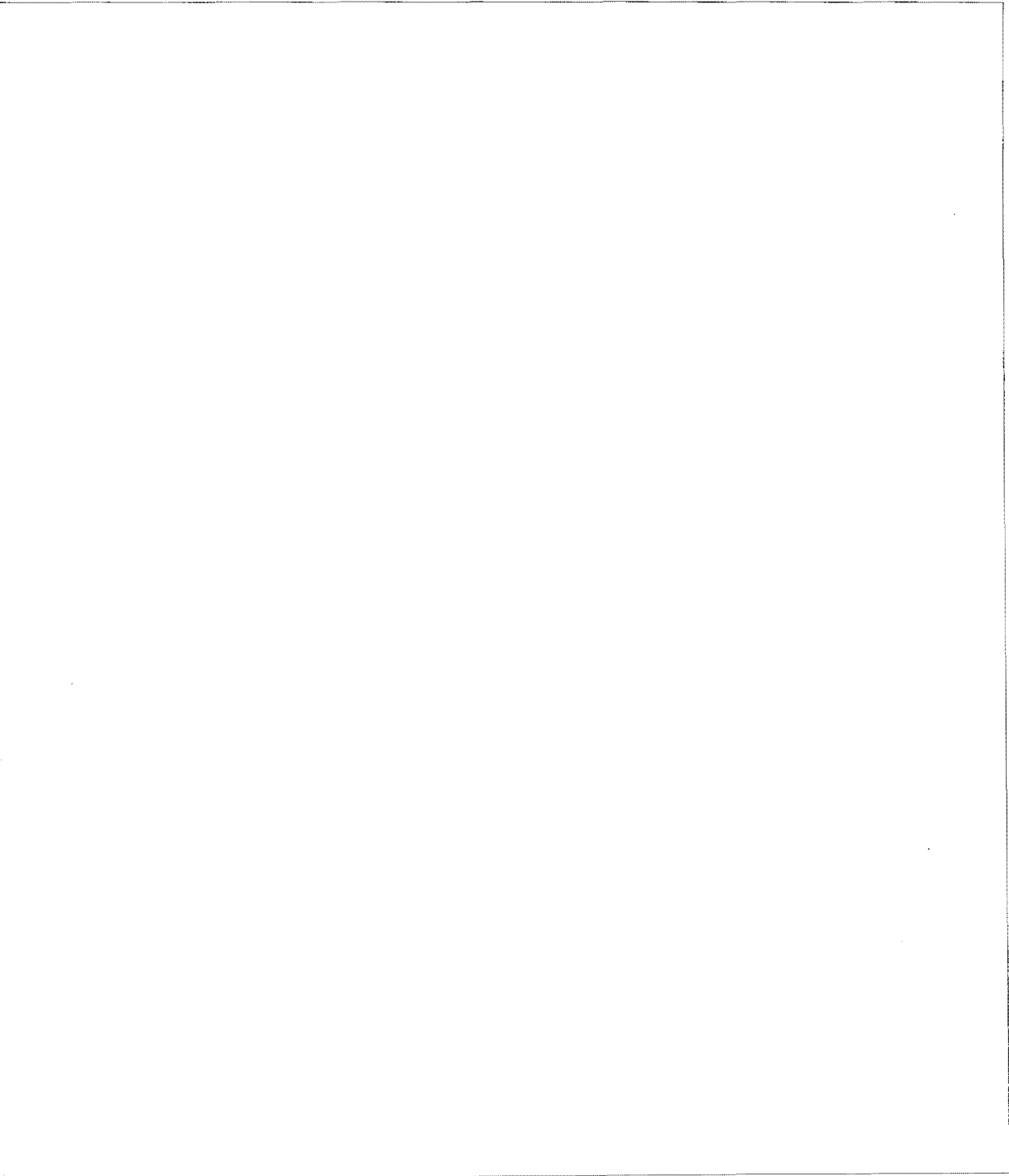


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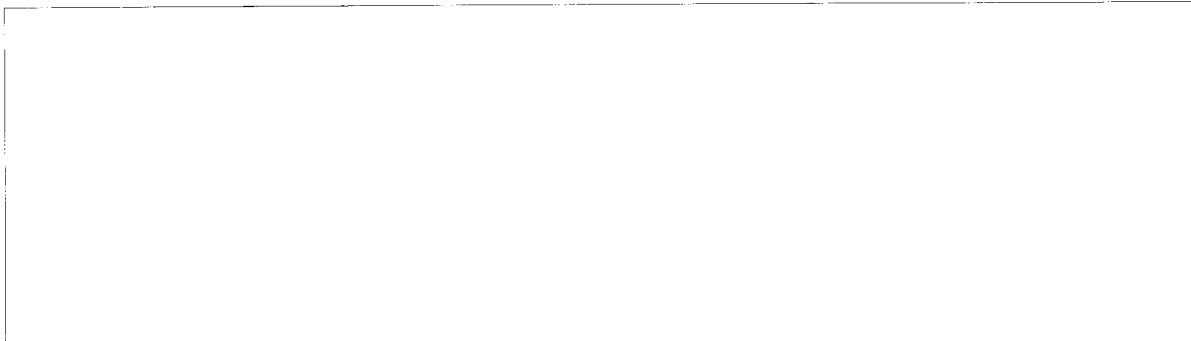
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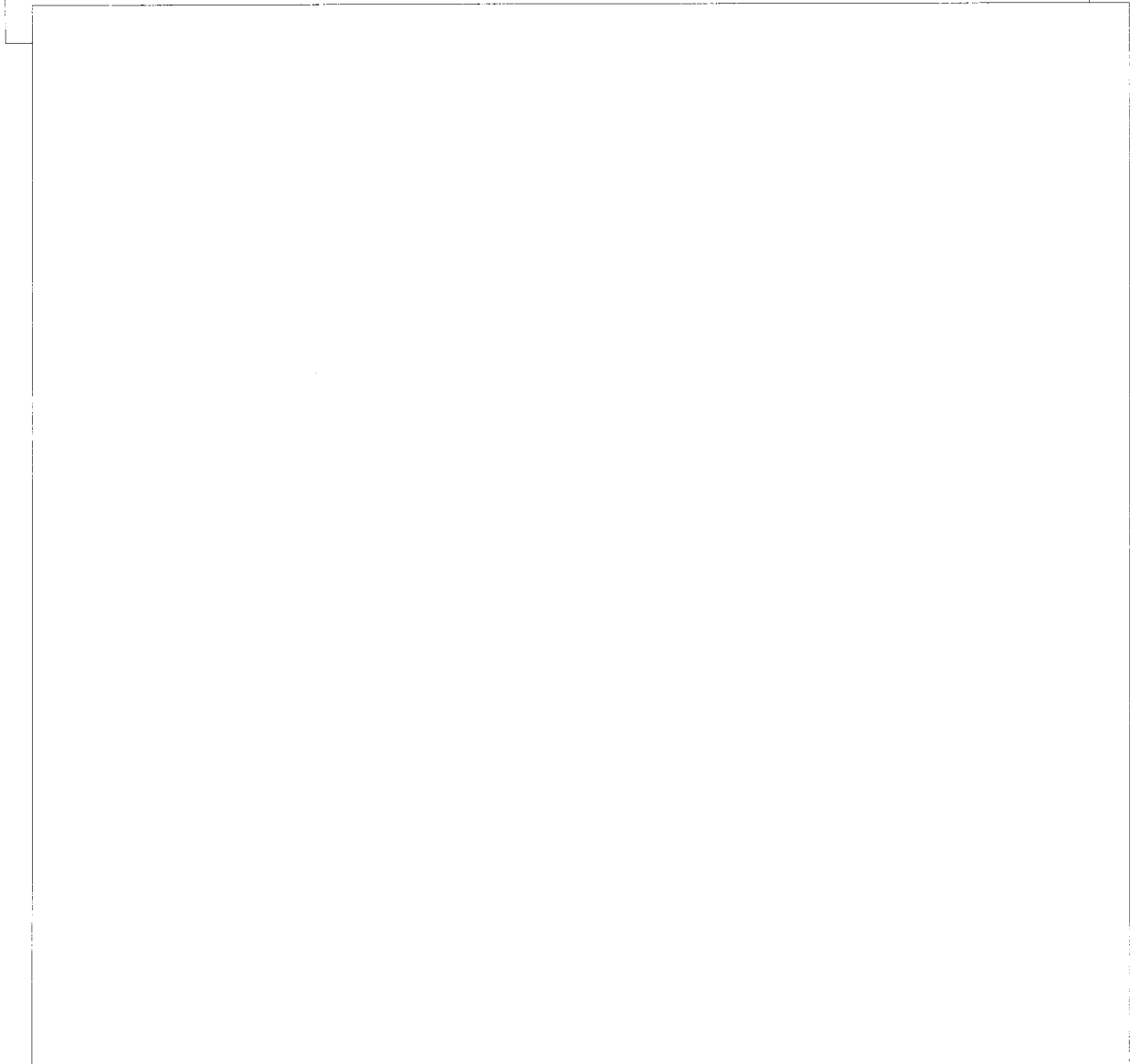
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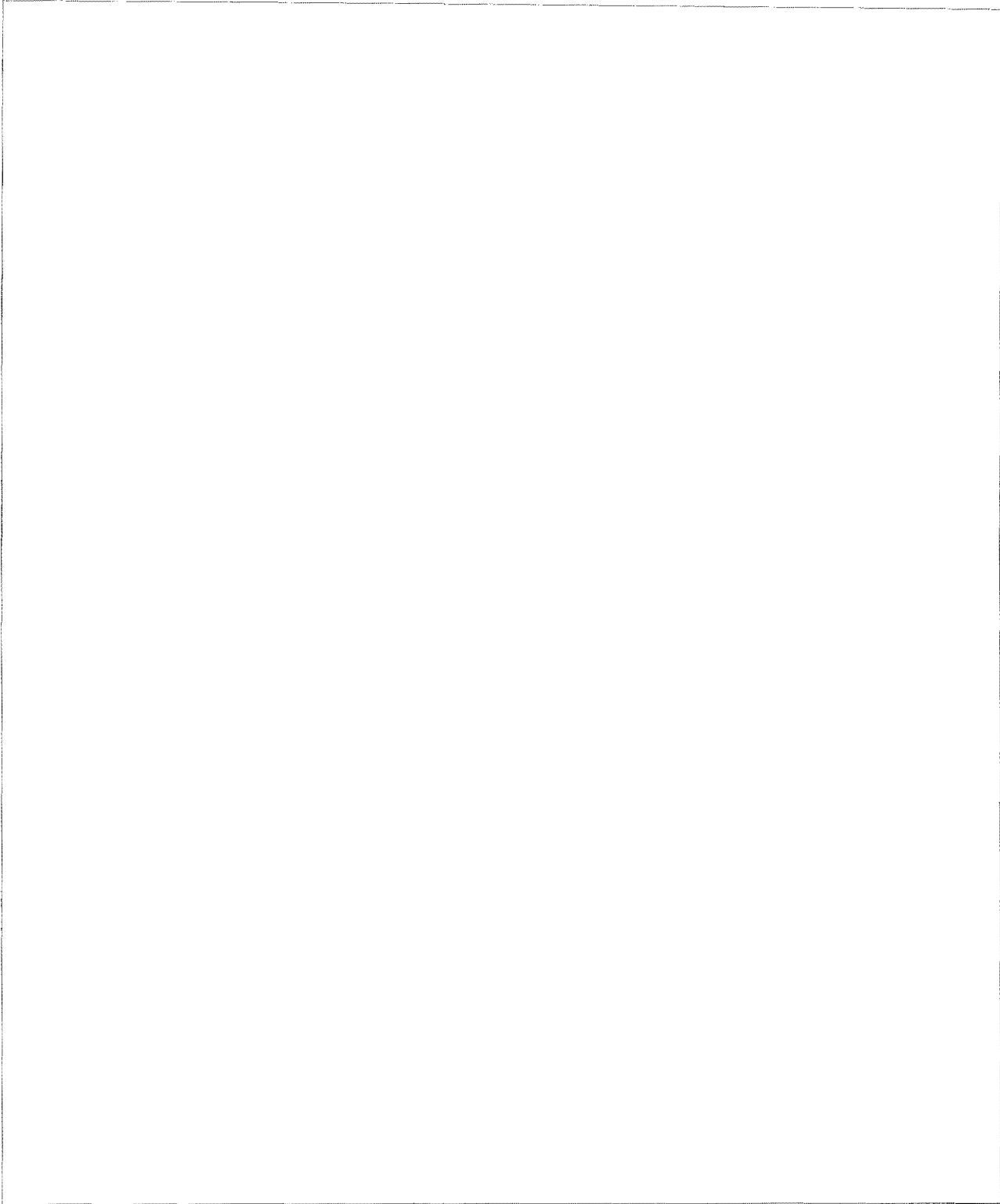


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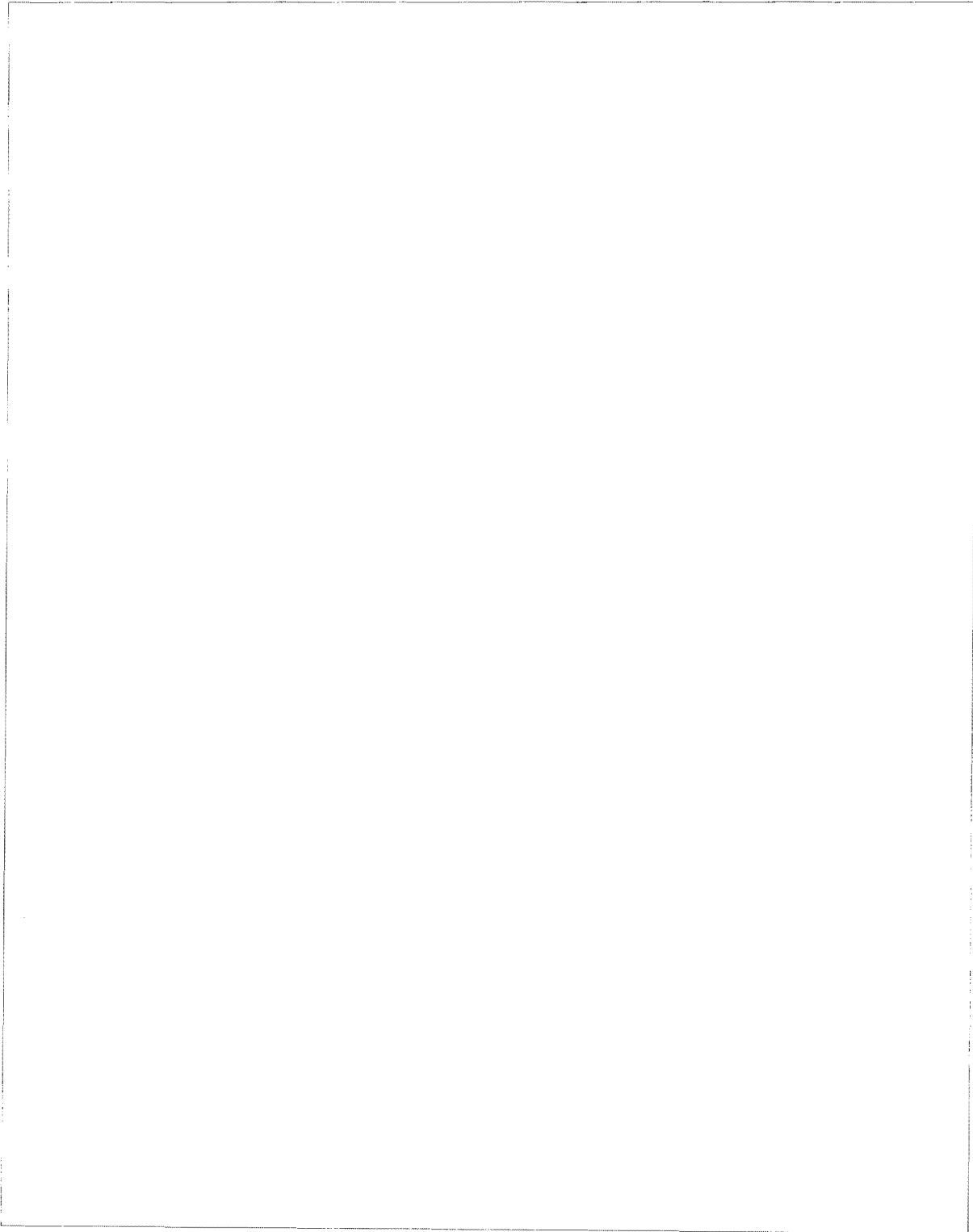
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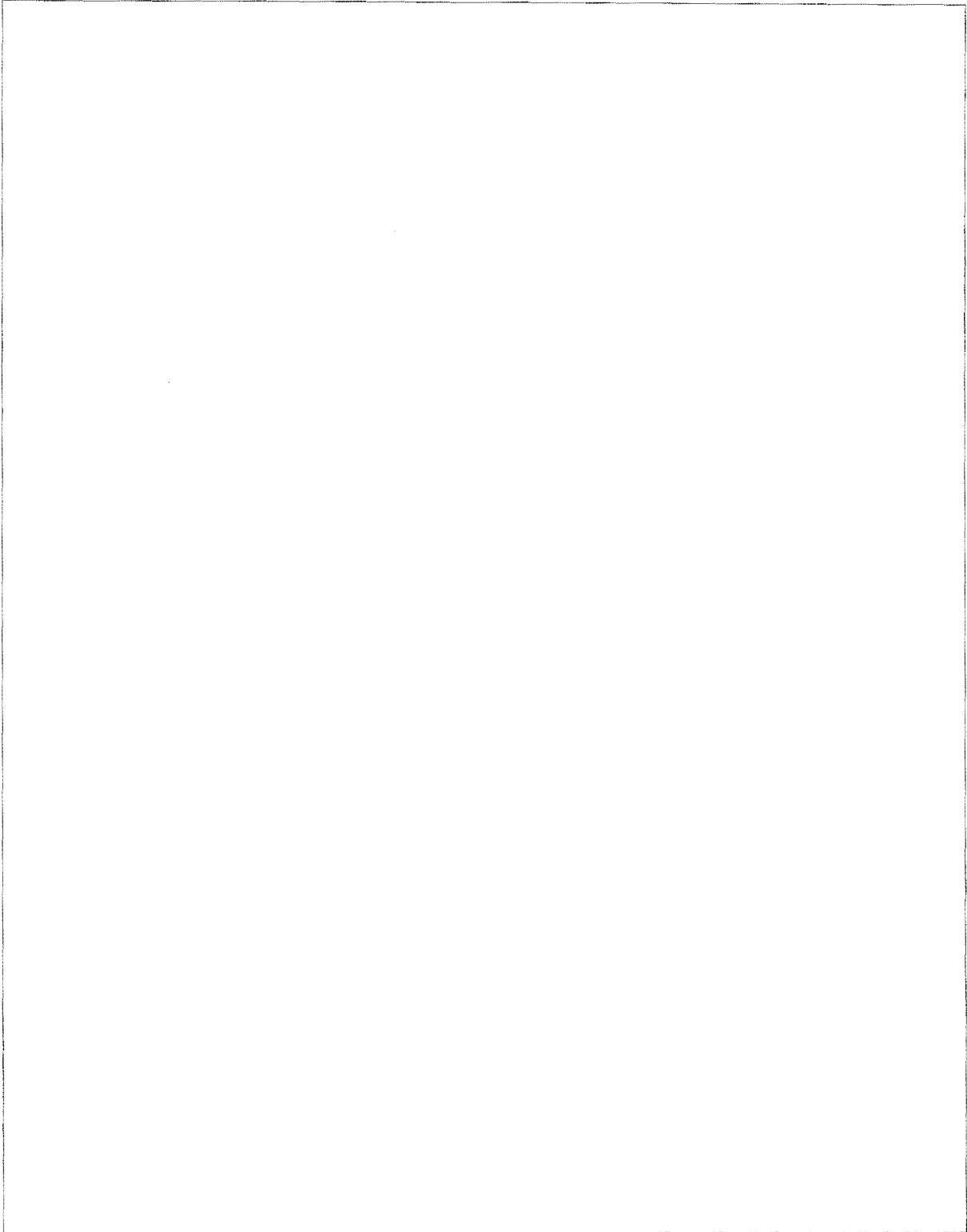


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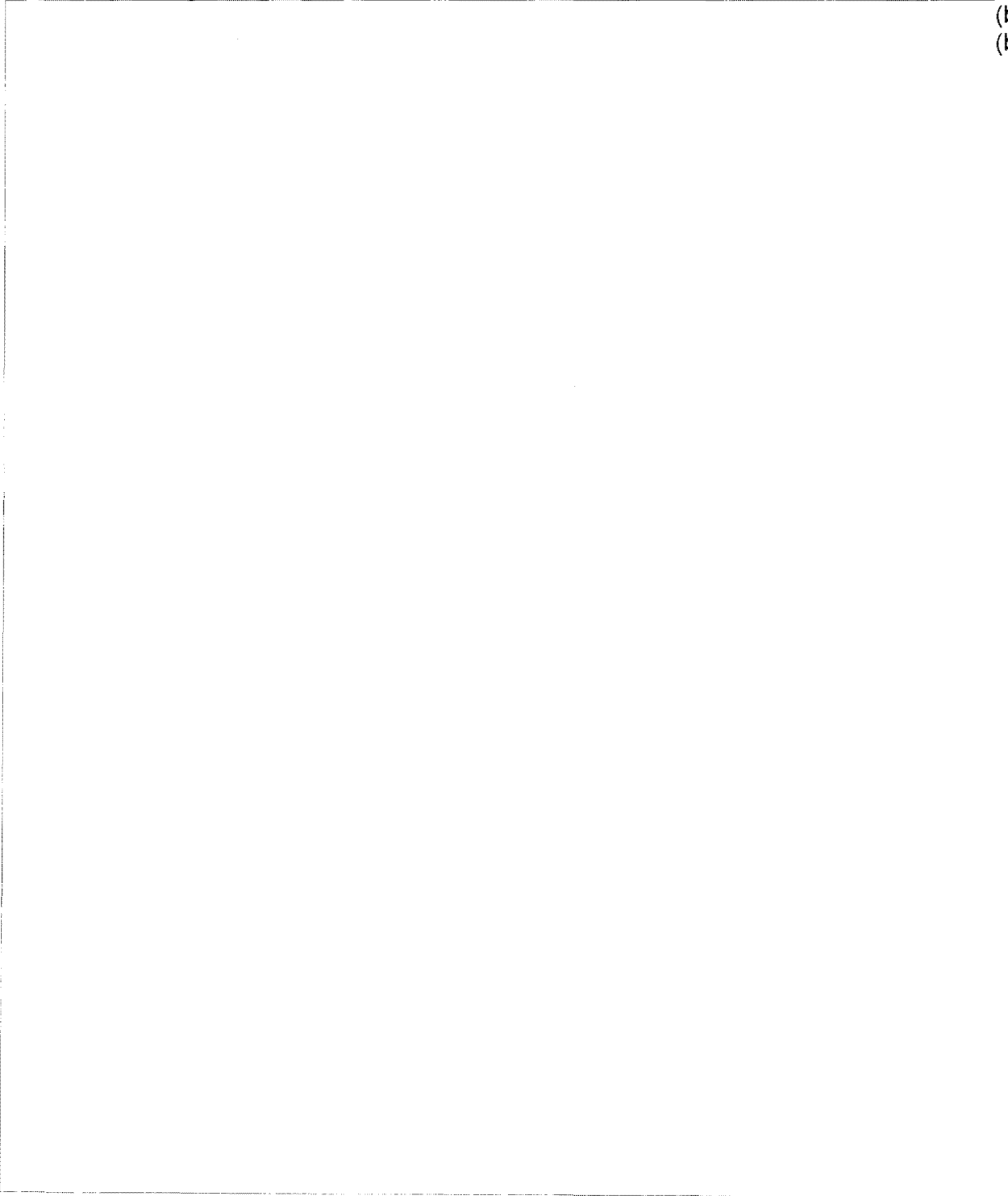
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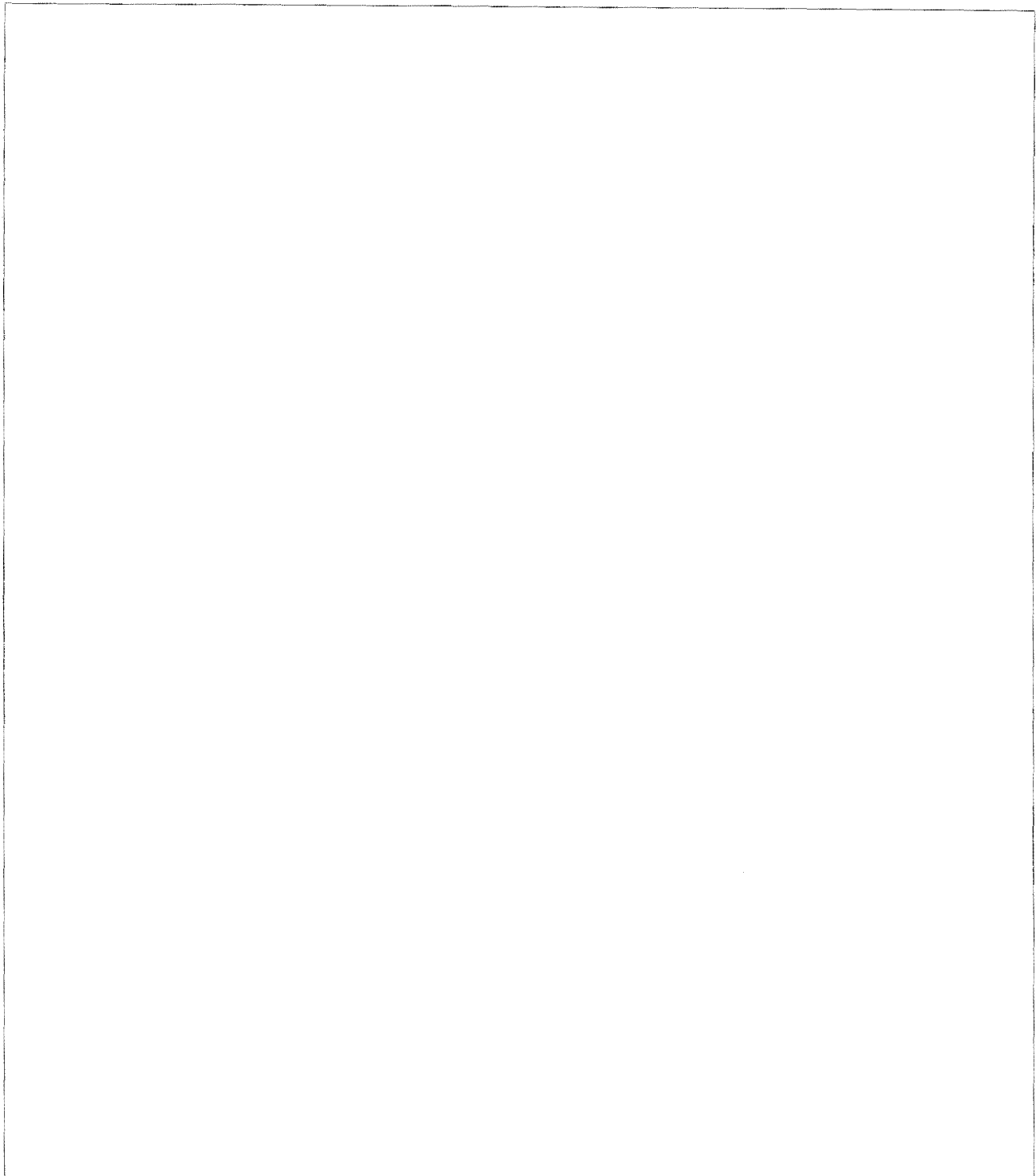
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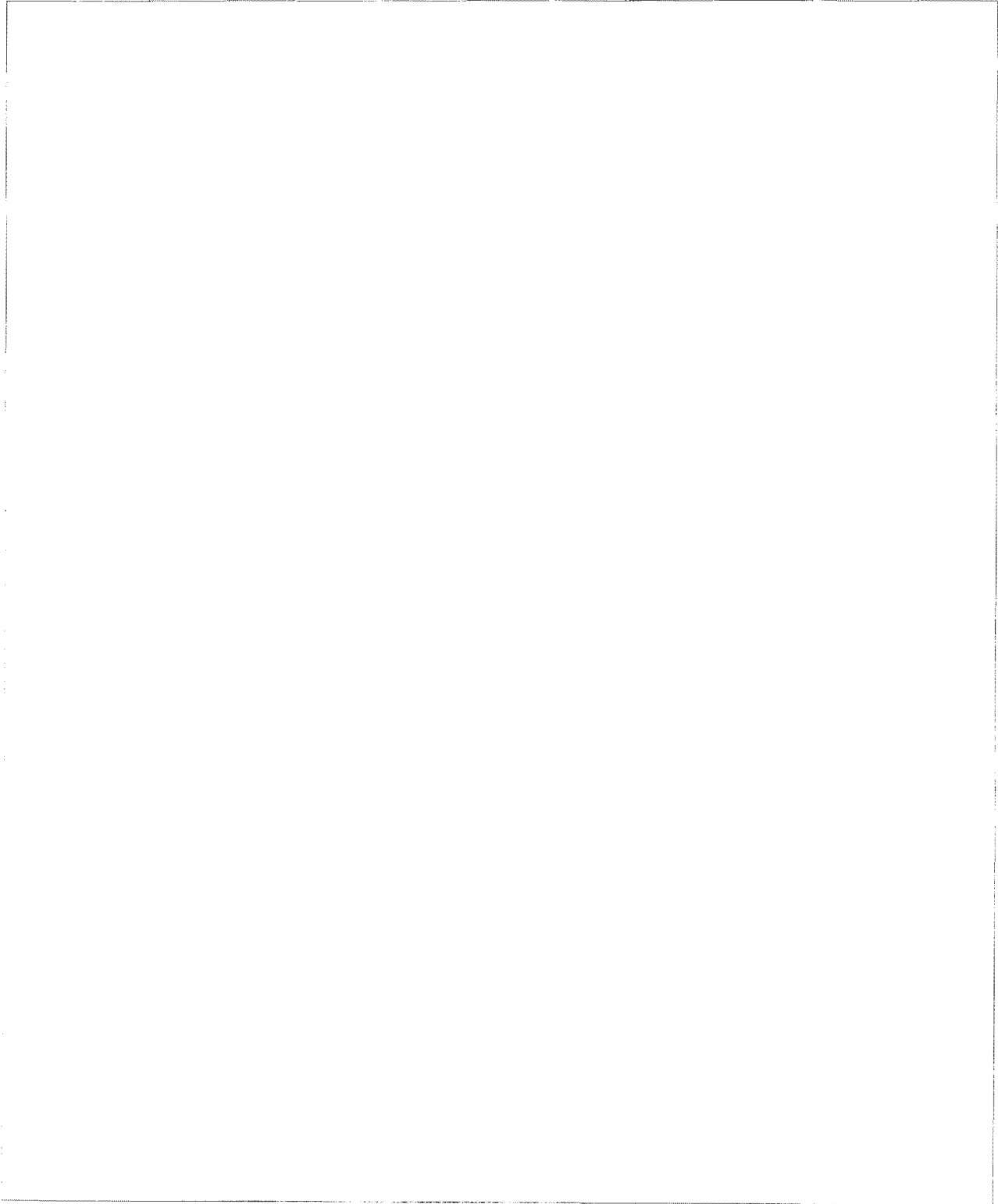
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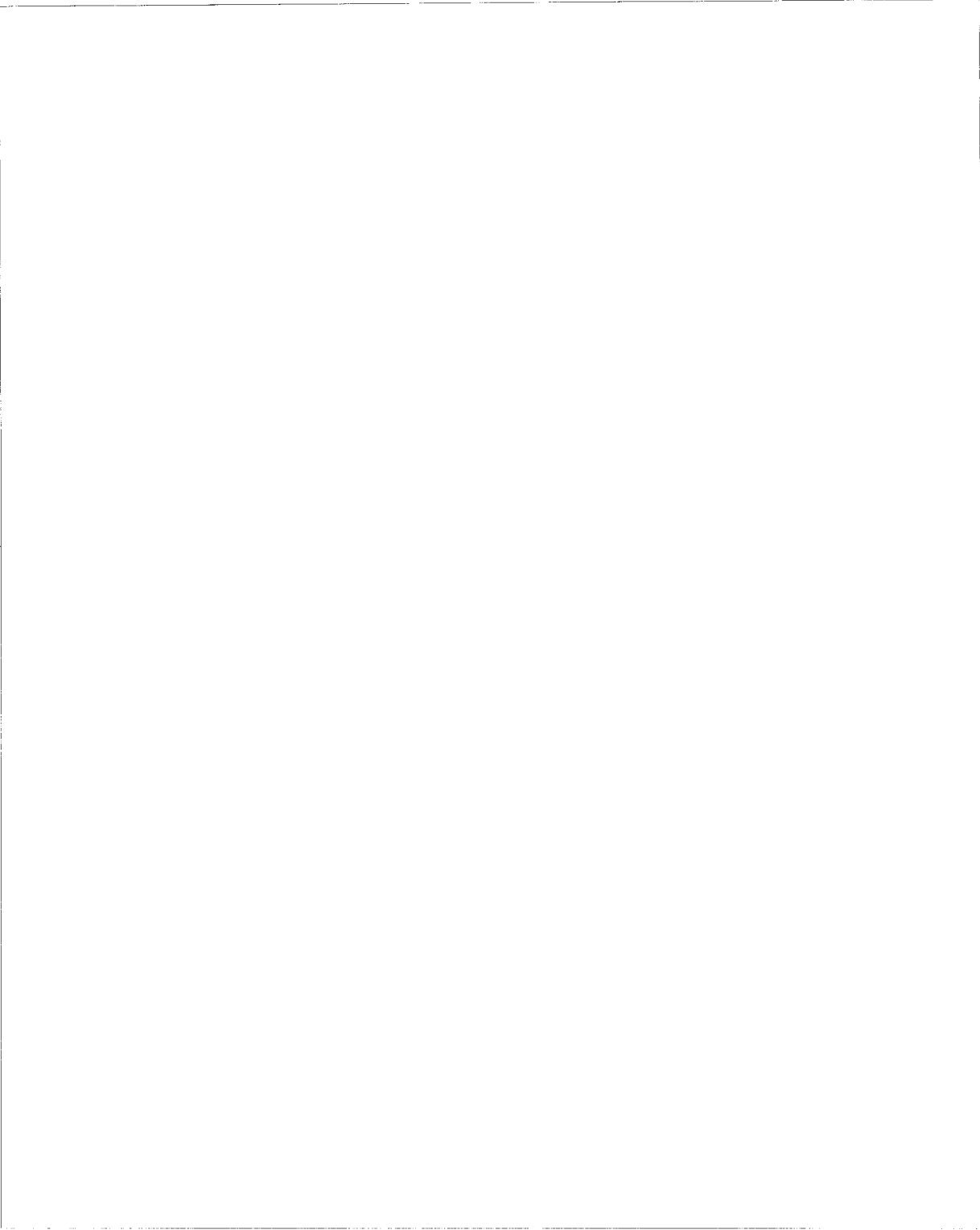
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~~SECRET~~Changed Diplomatic Climate of the 1970's

For whatever reasons -- strained relations between Communist China and the USSR, United States desire to wind down the Vietnam war, or whatever -- there was a marked change in relationships between the United States and Communist China in the early 1970's. The Warsaw talks were resumed on 20 January 1970 after a two-year lapse and, although the Cambodian invasion of May 1970 caused their cancellation, both public and secret moves were taken to ease the tension.\* In April 1971 came the now famous table tennis invitation to the United States, and in that same year a selected number of US journalists were admitted. The United States, for its part, lifted travel and trade restrictions. From 9 to 11 July 1971, Dr. Henry Kissinger made his secret visit

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\* The Warsaw talks, which followed the Geneva talks, are described by veteran Foreign Service Officer Kenneth T. Young in his book, *Negotiating with the Chinese* (New York 1968) as the longest established permanent floating diplomatic game in modern history. Young also referred to them as a meeting of men, not minds. PRC Amb. Wang Ping-nan had the longest tenure, serving for nine years and 120 meetings. He was succeeded by Amb. Wang Juo-chuan. Four Americans served: U. Alexis Johnson from 1955-57, 73 meetings; Jacob Beam 1958-61, 33 meetings; John Moors Cabot 1961-65, 21 meetings; former Postmaster General John Gronouski 1965 until suspension of the talks in 1968.

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to Peking as a Presidential emissary for talks with Chou En-lai. On 25 October 1971, the People's Republic of China (PRC) was seated in the United Nations, taking over Nationalist China's seats in both the General Assembly and the Security Council. In February 1972 President Nixon made his historic "Journey for Peace" which was followed in September by the PRC's purchase of 10 Boeing 707's for \$150 million and the purchase of \$50 million worth of American grain. The breach, while still wide, had commenced to heal at the edges.

The Fecteau Case in the 1970's: His Release on 13 December 1971 and His Debriefing

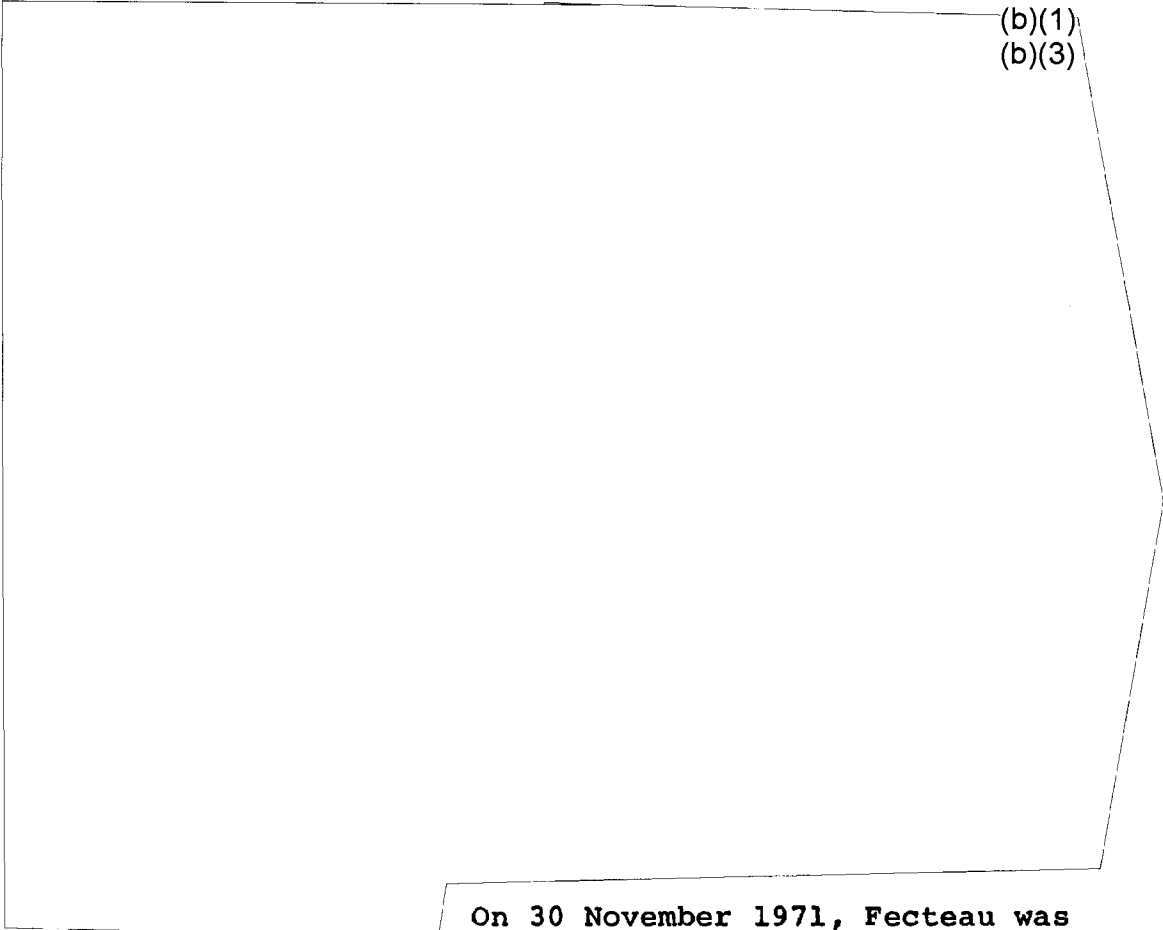
It seemed that these large events would have a direct effect on the Fecteau-Downey cases and by 1971 hopes were raised, evacuation plans were dusted off, and staff papers prepared to insure that the plight of the CIA men was well understood at high levels.

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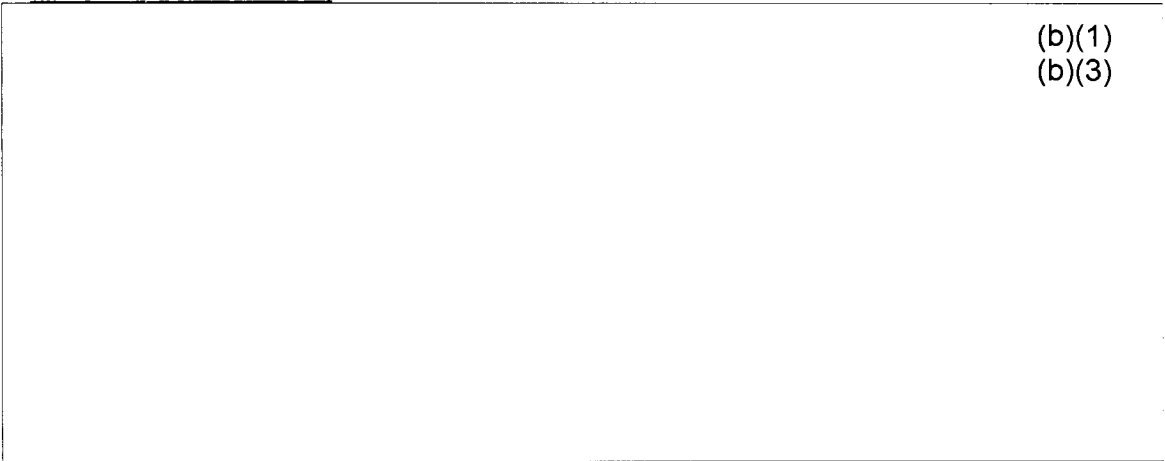
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On 30 November 1971, Fecteau was promoted to GS-14, following a recommendation by the



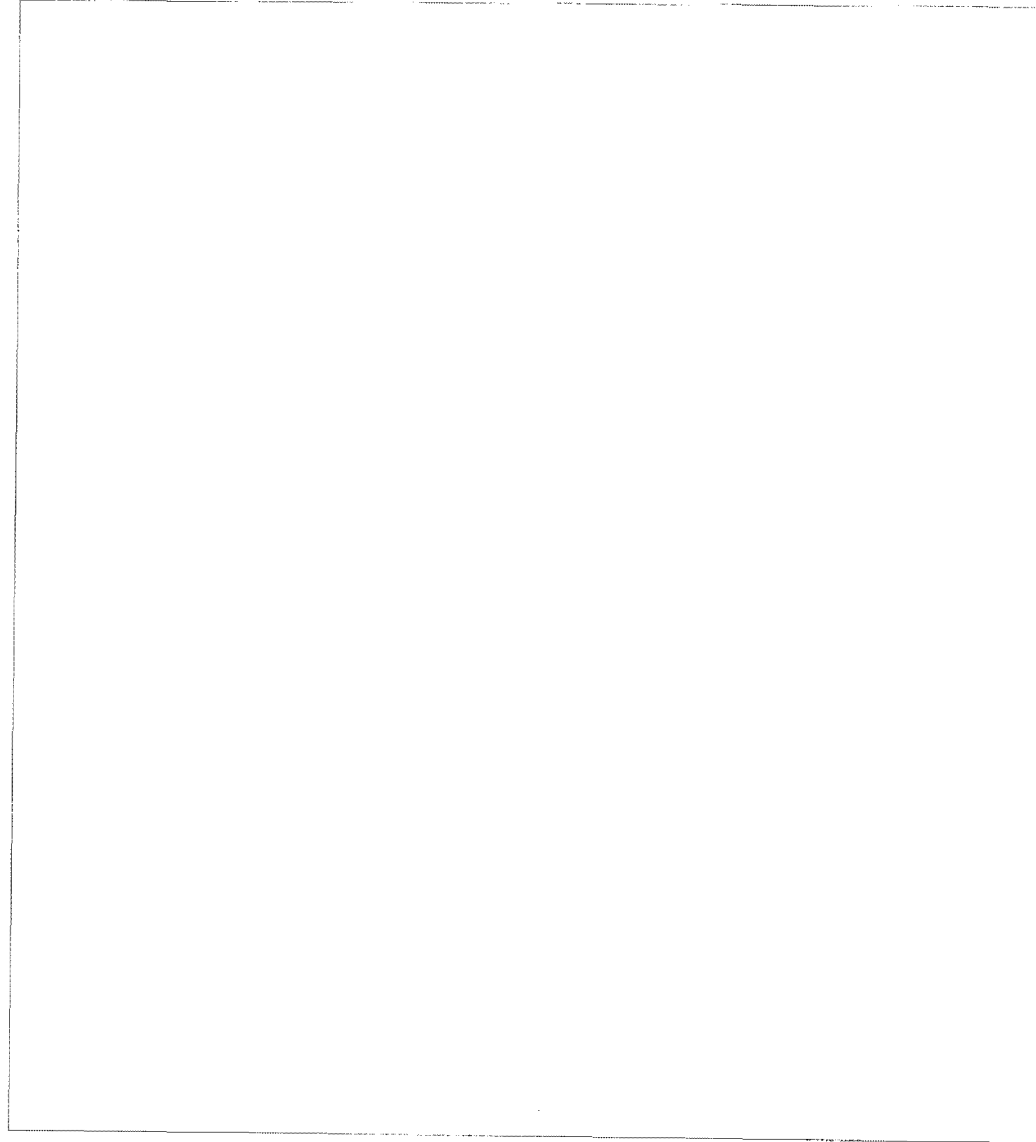
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Director of Personnel. 192/ Then on 10 December 1971, DeFelice set out on a routine visit to the Fecteau parents with results that were described by him in a September 1973 interview for the Oral History:

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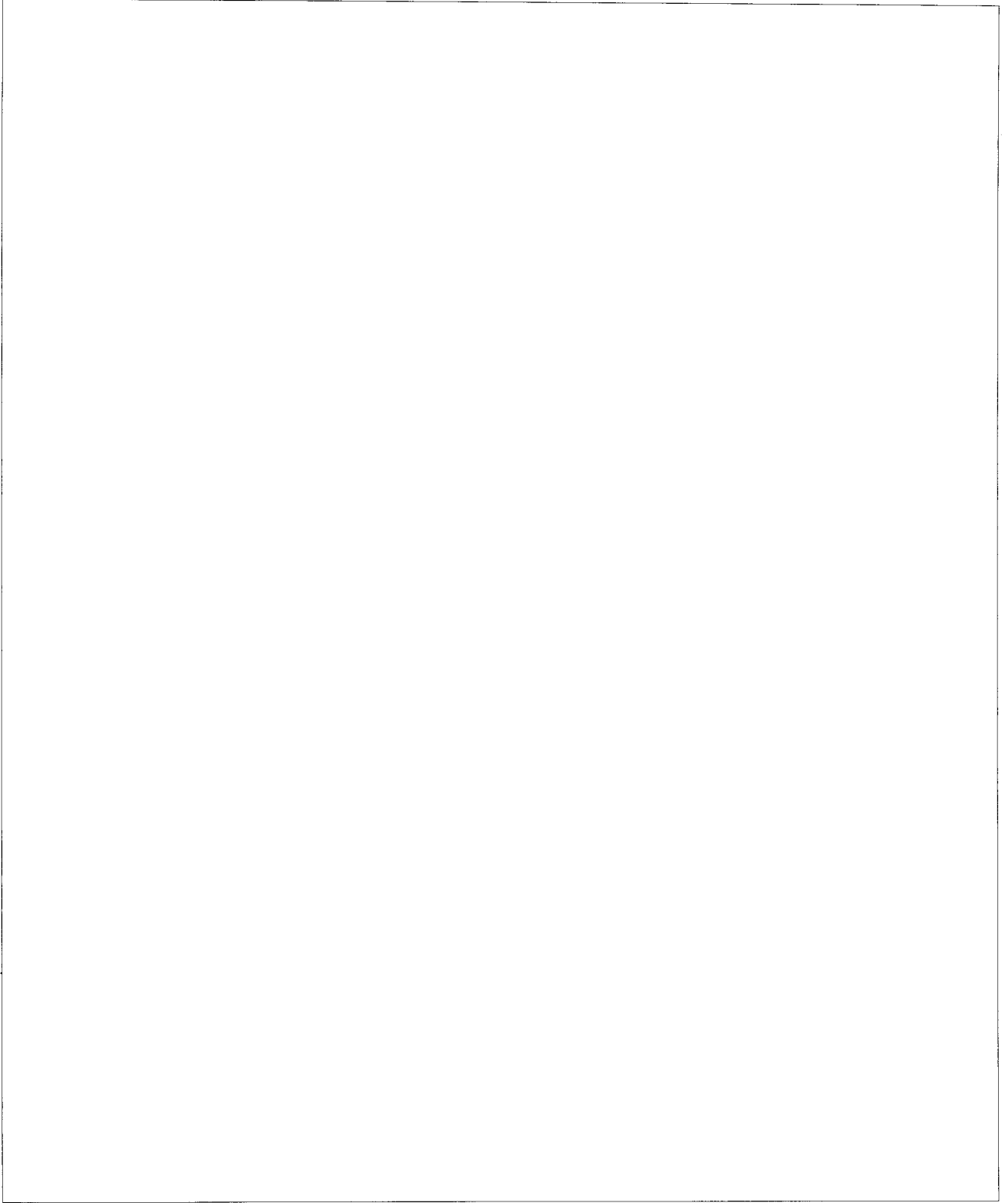
\* This distinction had an important (footnote continued on following page)

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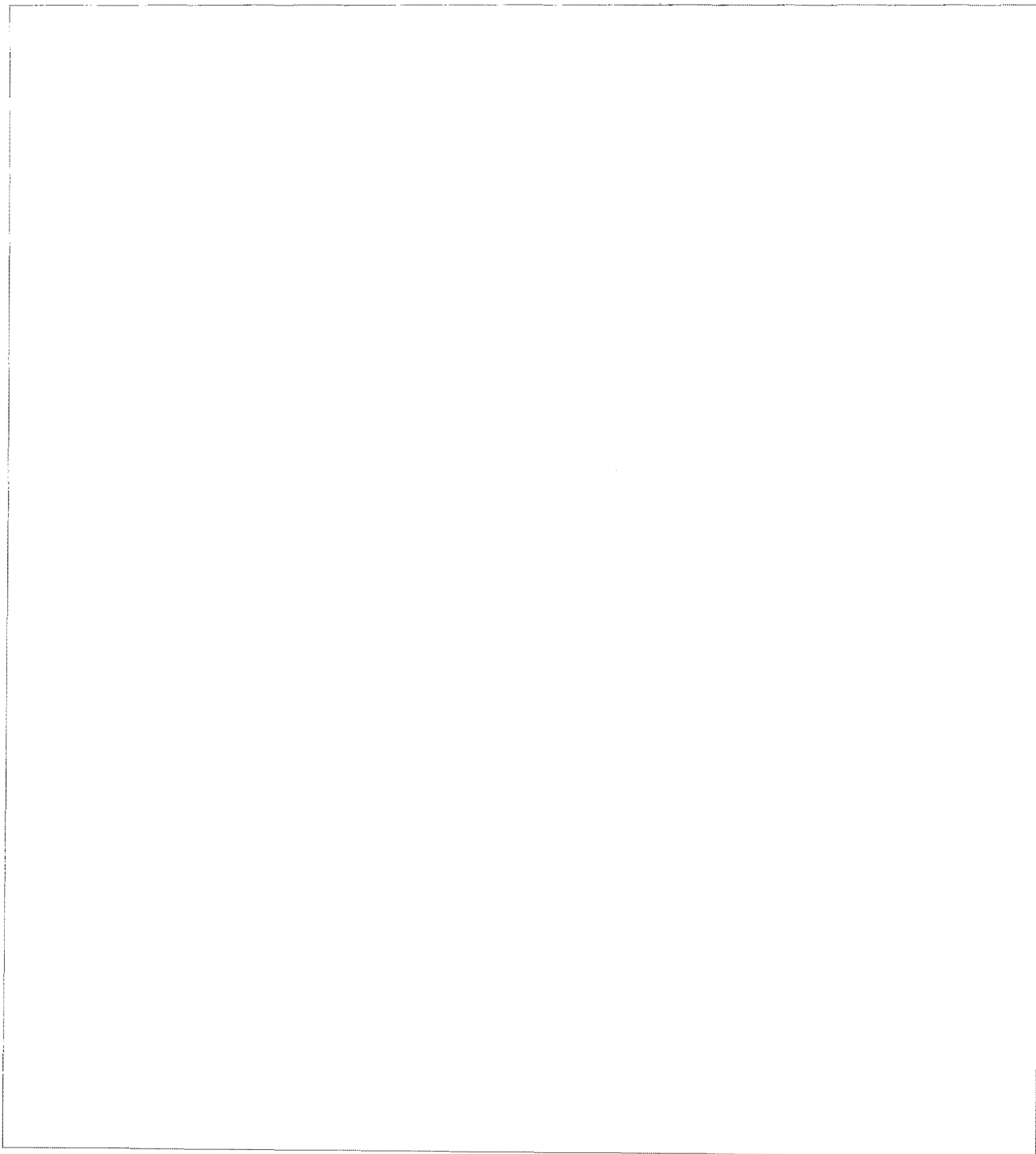


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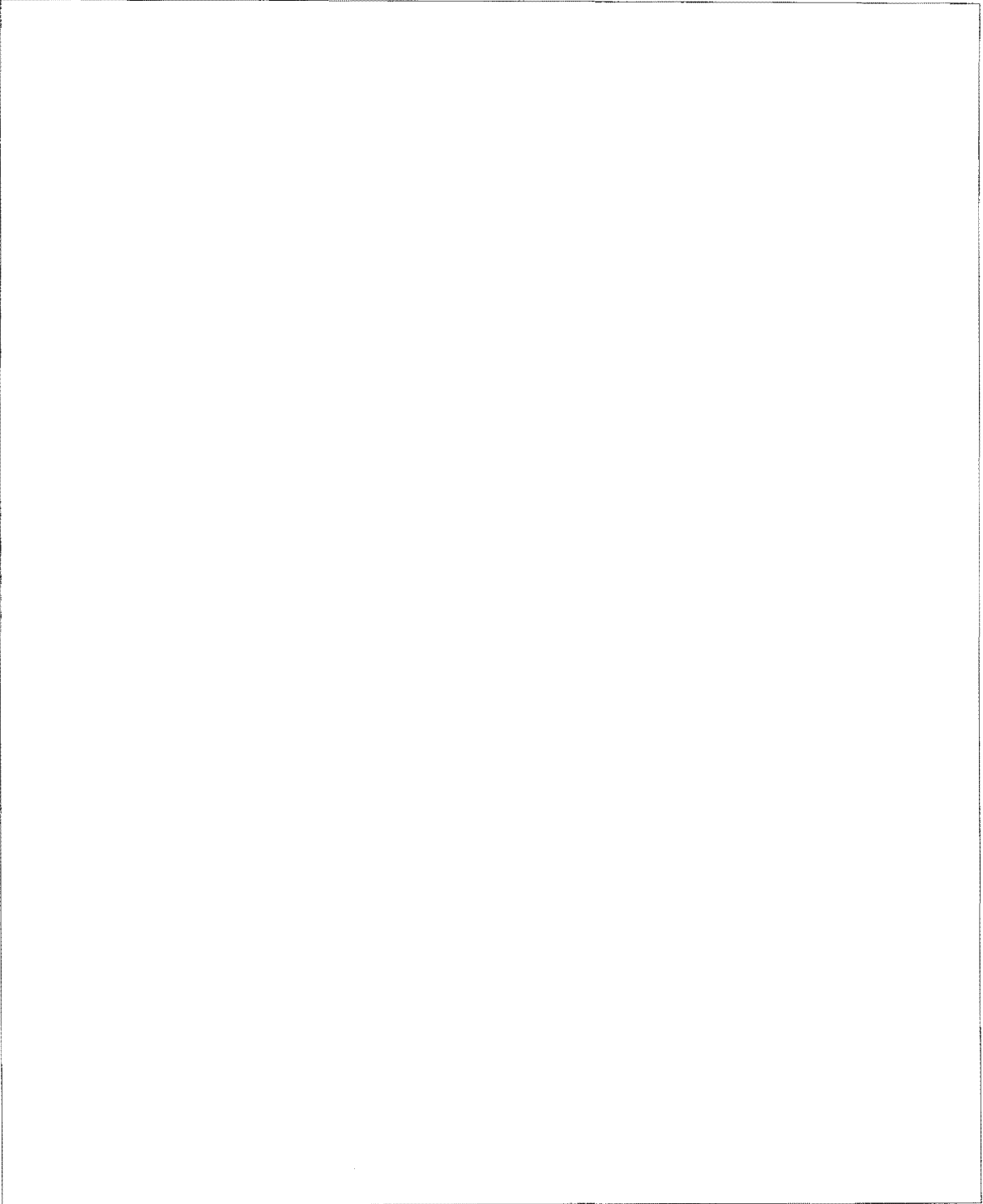
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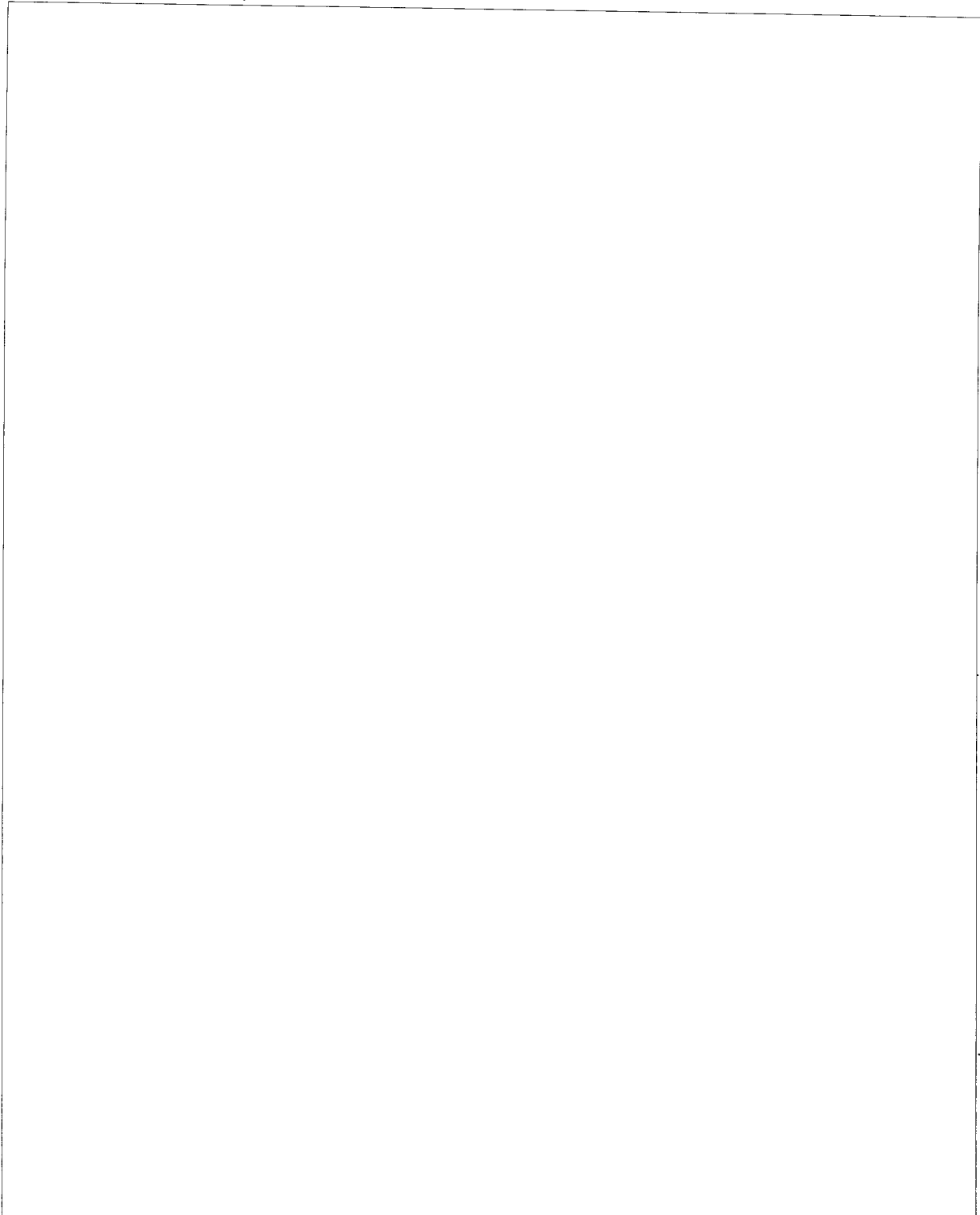
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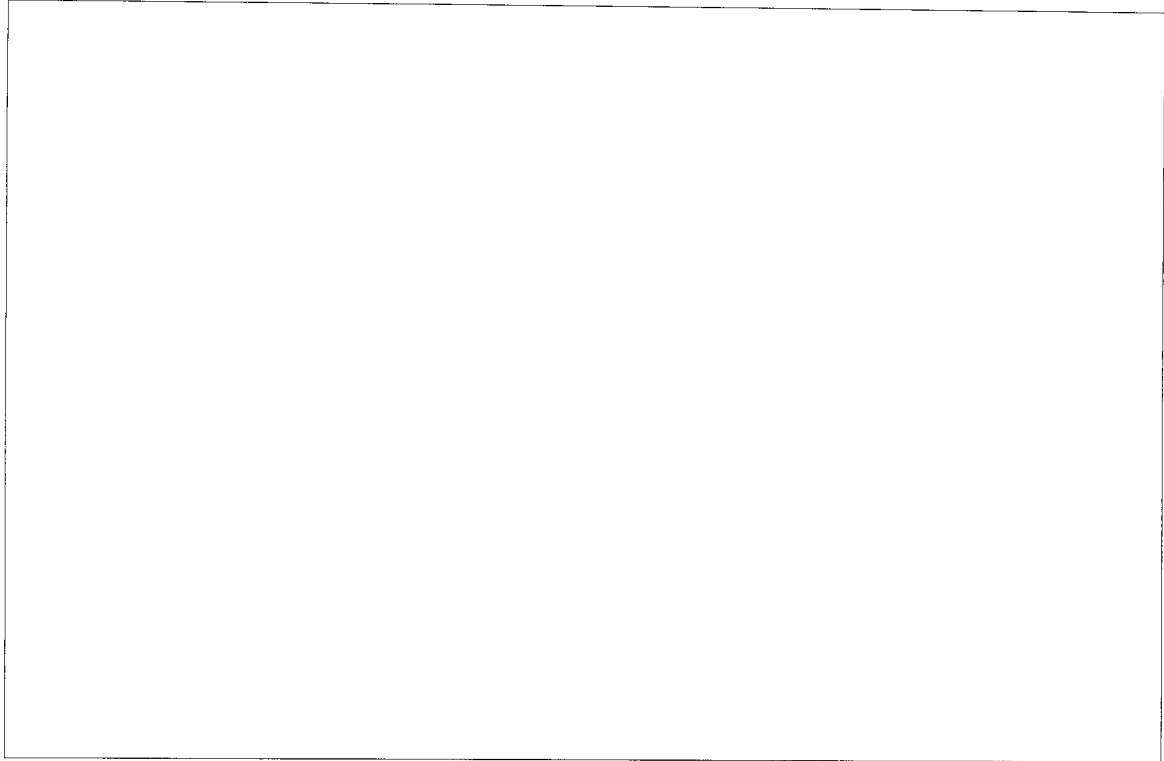
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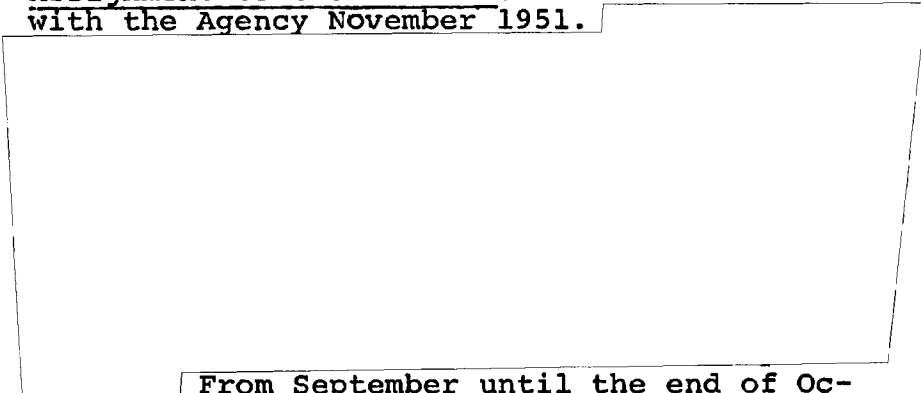
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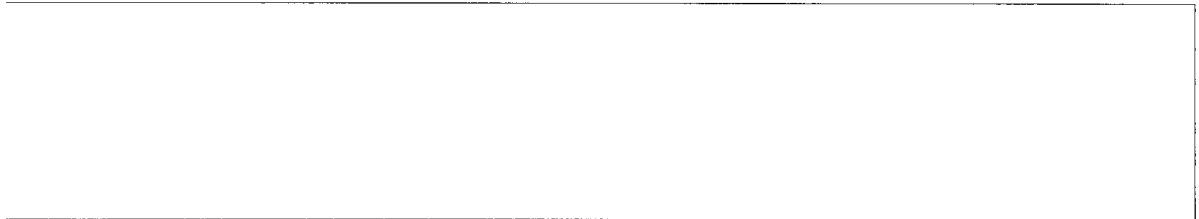
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Assignment to the Mission: Dick Fecteau EOD'd  
with the Agency November 1951.



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From September until the end of Oc-  
tober he was in Washington, awaiting



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assignment, doing clerical work for logistics and supply.

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Dick left the United States on [sic] the end of October and arrived at [redacted] Japan, 28 October 1952. Here he spent three weeks

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[redacted] On the evening of 22 November, [redacted]

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told Dick that he was to go to Seoul, Korea, the next morning. There he would observe two personnel from CAT who would be training in the operation of a device installed in a C-47 for picking up personnel from the ground. On 23 November he left [redacted]

[redacted] with two CAT employees and went to Seoul.... On Monday the 24th, Tuesday the 25th, and Wednesday the 26th he flew as an observer on practice pick-ups which were conducted on the river bank at Seoul.\* On Wednesday, [redacted]

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and John Downey, accompanied by two CAT pilots, Norm Swartz and Bob Snoddy, arrived in Seoul from [redacted]

About three hours later Jack Downey told Fecteau that the two of them would take the place of the two CAT employees while the two CAT pilots would replace the Air Force pilots as planned. On the 27th Jack Downey and Dick Fecteau did spend the day practicing with the two CAT pilots who performed the mission extremely well. The mission began about 2200 on Saturday night the 29th of November. 204/

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Shoot-down: [redacted]

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[redacted] they took off at about 2200 and the trip to the drop zone area was completely uneventful.

\* These runs were flown by USAF pilots.

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There was almost no talking between Downey and Fecteau. Fecteau broke out his survival kit and looked through it and found a 32 caliber pistol with no ammunition. Jack and Dick kidded each other a little about that and that was about the only conversation they had.

They arrived at the DZ about 2400. They received the proper flashlight signal and made a pass dropping the bundle. Snow could be seen on the ground and some trees and a clearing but they were flying at a fairly good altitude and nothing else could be seen.... The plane then flew away for about 30 minutes to give the men on the ground time to set up the pickup apparatus. At the end of this time the plane returned and got another flashlight signal from the ground indicating that preparations had been made for the pickup. The aircraft then made one low "dry run" pass over the pickup apparatus. Dick was kneeling in the door and could see a man sitting on the ground in the pickup harness plus a couple of men on each side of the poles. He saw perhaps four or five men in all. They then came for their final run. Dick was kneeling in the door with his head out and just as they came up to the poles and at the point where the pilot was to pull up sharply, Dick saw a white sheet pulled away displaying a 50 caliber AA Machine Gun. This gun and one on the other side immediately opened up firing directly at the pilots. At the same time he could see a great number of men spring up perhaps 50 yards in back of the gun in the woods.

The plane started up sharply, climbing perhaps 150 feet. As it climbed the machine guns swung, the bullets hitting into the cockpit and then the forward section of the cargo area, and then swung again, now hitting the wings. Tracers ricocheted around the inside of the cargo area and a great deal of fluid from cut hydraulic lines was spraying over Downey and Fecteau.

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At about 150 feet, as the tracers hit the wings, the plane caught fire. The engines stopped and the aircraft started down. It went perhaps 150 yards and hit fairly flat with both wings burning very severely. As they came down pieces of the wings flew past the door. There was a good belly landing with a large jolt, a bounce, and then the plane hit a second time and came to a very abrupt stop. 205/

Capture: Dick had been tied by a rope [actually buckled into a safety harness] to a rib on the opposite side of the door of the aircraft. He was thrown sharply forward and the rope [harness] broke, absorbing a great deal of his forward impact with the bulkhead. He was stunned but conscious. Jack Downey had slid the length of the floor and hit into a pile of sleeping bags. He too was stunned but conscious. Both Jack and Dick were saved from injury to a certain degree by the many layers of heavy cold weather flight gear that they were wearing.

There was a moment of silence as Dick became aware of a great deal of smoke and a lot of debris piled on top of him he spotted light coming in the door and stood to move toward it but fell. He stood and fell again and then crawled toward the light. He got outside and walked along the outside of the aircraft to look into the pilot's compartment. The windows, however, were too high for him to see. He walked back to the door just as Downey staggered out. He remembers at this point that they both made some very despondent comments to the effect that they were in a hell of a mess. They both were mouthing rather despairing curses.

At the same time they could hear the Chinese whooping and hollering. Downey's safety rope [harness] was still tied [fastened] and Dick [entered the aircraft and] unhooked him. Downey shouted to the pilots repeatedly while standing in the open door. He repeated their first names over and over again and there was never any answer.... The Chinese then started firing some shots and both Jack and Dick moved away from

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the plane. They went about 30 yards when the Chinese surrounded them and they were immediately captured. [After some rough handling by their captors they were taken to a small village.] They were confronted at this point by an obviously senior individual wearing a leather jacket who said in English, "Who is Jack Downey?" 206/

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In addition to providing details of the abortive

STAROMA mission

the Fecteau debriefing clearly reveals the strength of character that made possible his survival -- both mental and physical.

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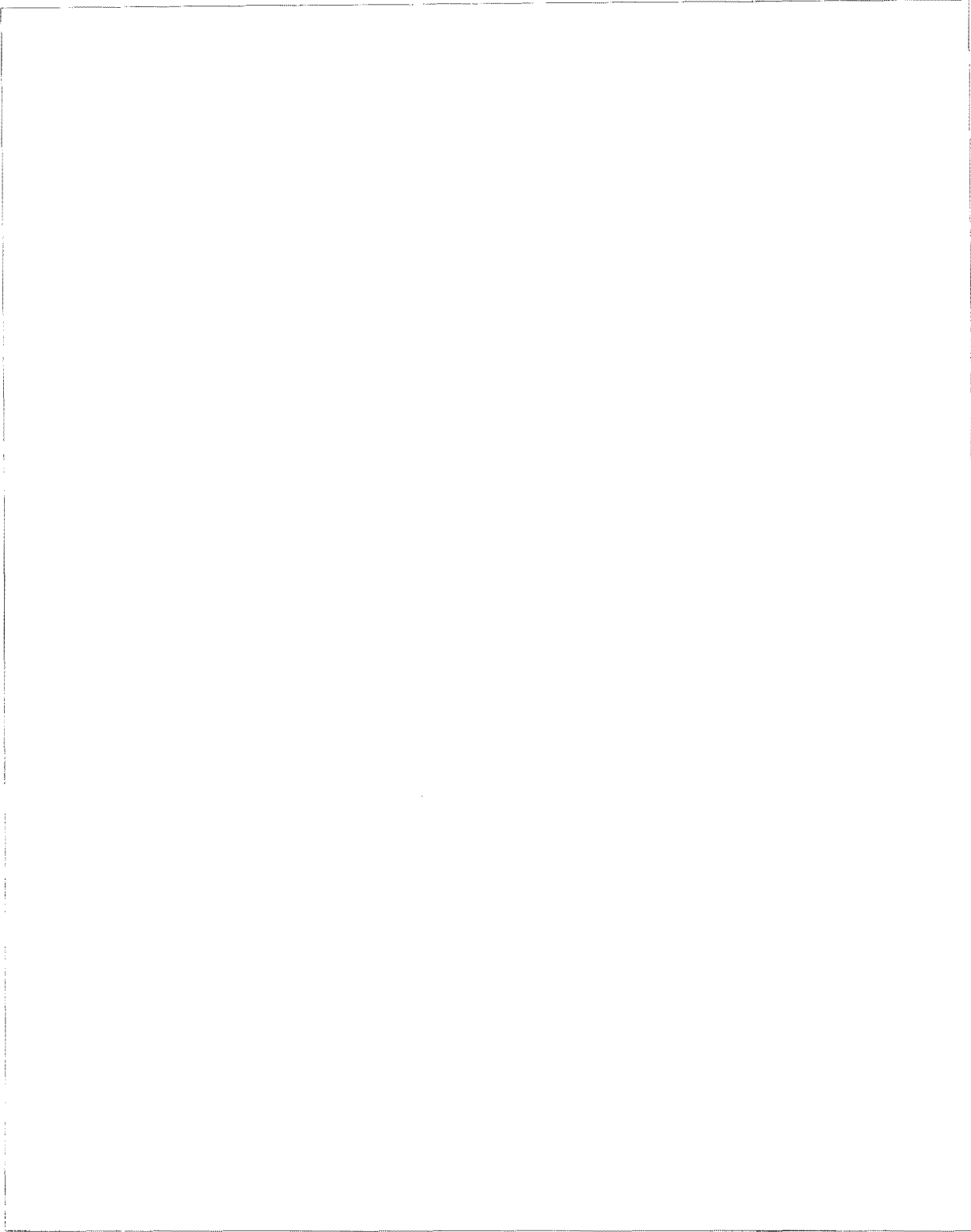
\*\* Portions of Fecteau's experiences as narrated in the debriefing had a strong resemblance to those described by Solzhenitsyn in *A Day in The Life of Ivan Denisovich*. The Chinese Communists were less physical and more subtle. A book published in 1973, *Prisoner of Mao*, by Bao Ruo-Want (Jean Pasqualini), a French national who was a prisoner in Communist China from 1957 to 1964, confirms and expands on Fecteau's account of life in a Chinese prison.

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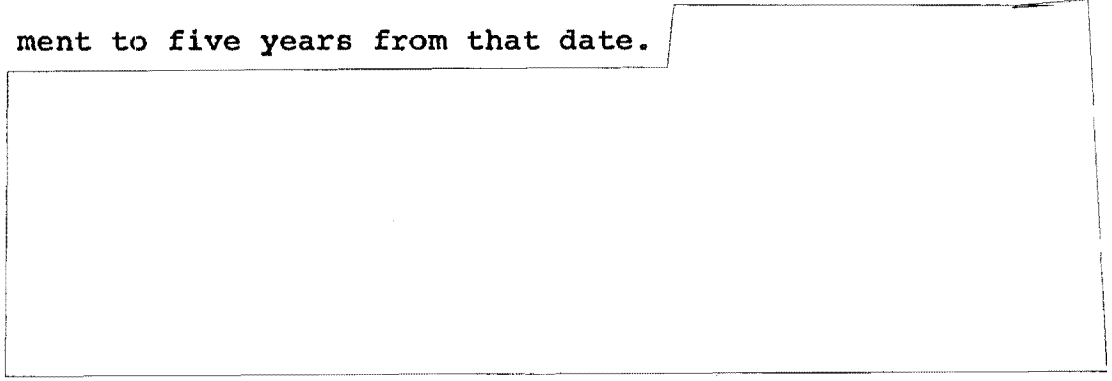
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The Downey Case in the 1970's: His Release on 12 March 1973 and His Debriefing

At the time of Dick Fecteau's release on 12 December 1971, the Chinese Communists announced that John Downey's sentence had been reduced from life imprisonment to five years from that date.

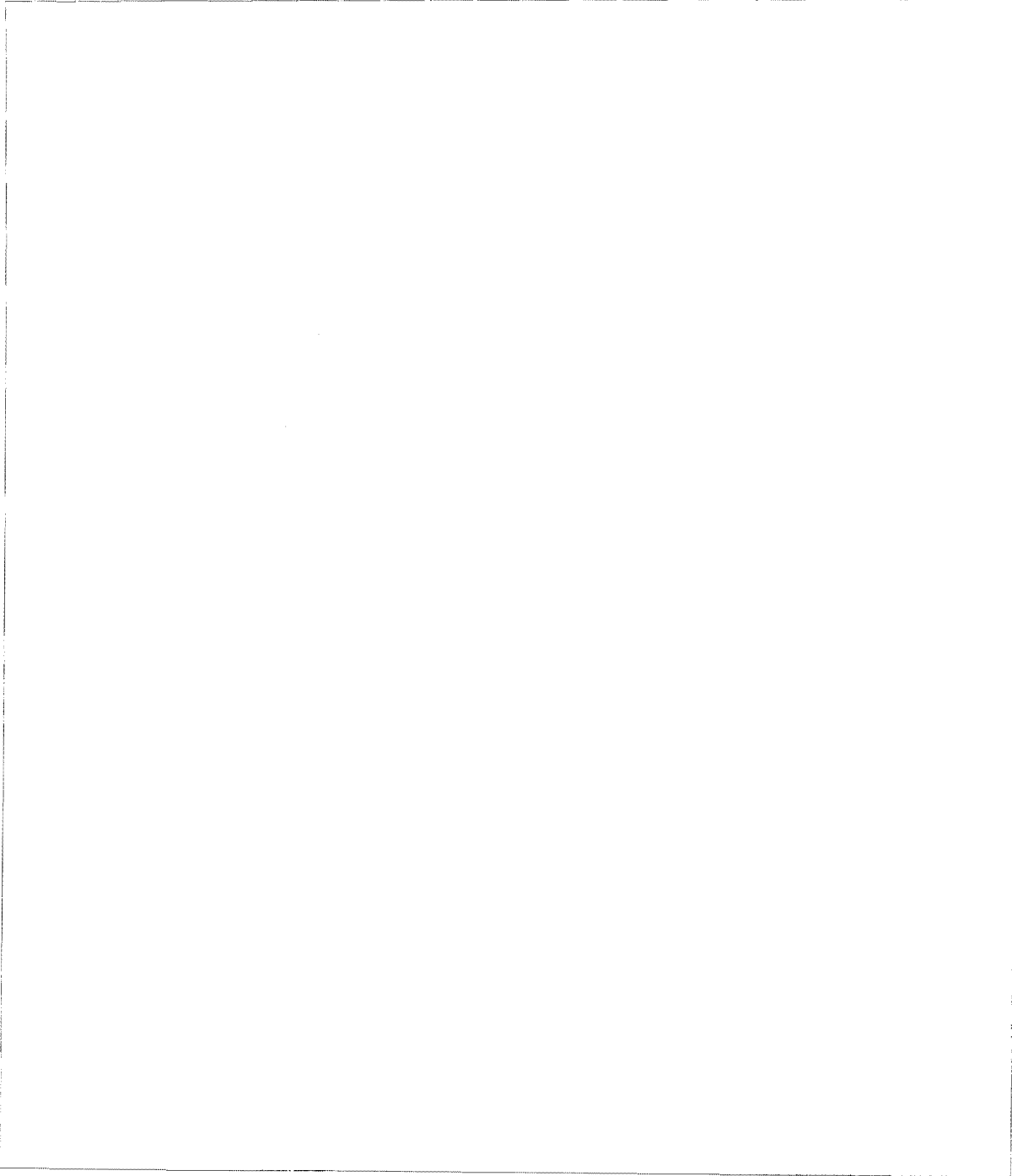


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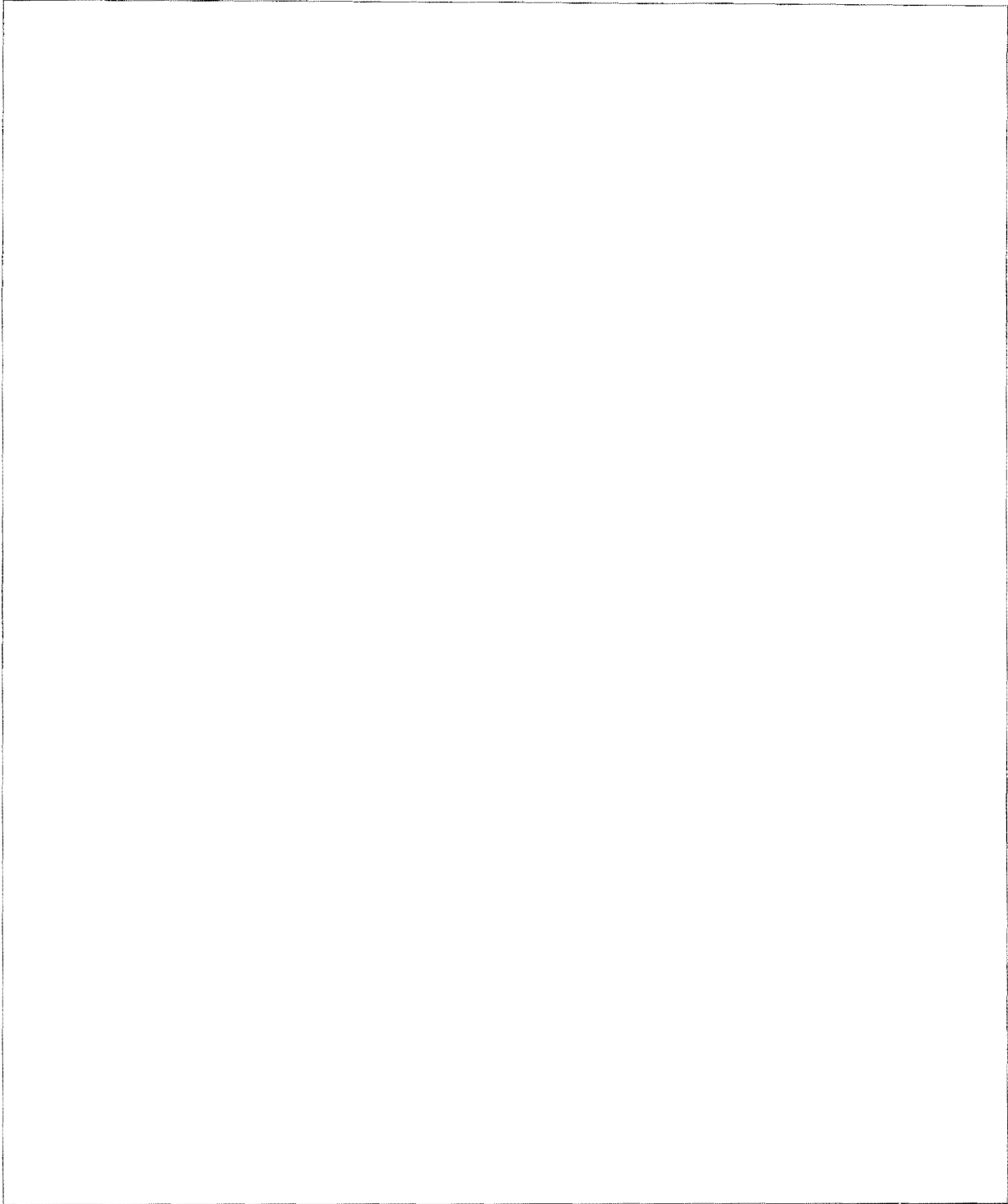


\*\* Dr. Henry Kissinger was then National Security Advisor to the President and architect of the detente with Peking and Moscow. He is now (Oct. 1973) Secretary of State.

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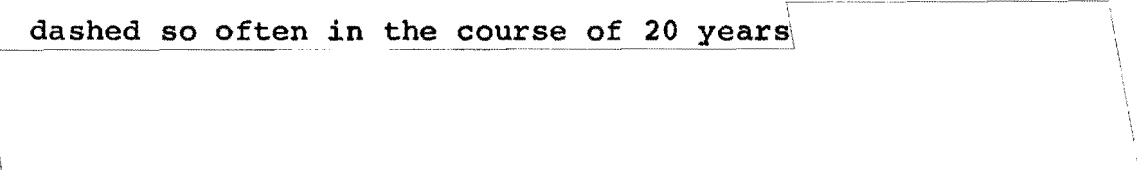
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During 1972, the visit of President Nixon to Peking also served to revive hopes that had been dashed so often in the course of 20 years

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Dr. Jerome Cohen, Jack's Yale classmate, Harvard Law School professor and acknowledged authority on the Chinese Communist Criminal Law, appeared before the Fullbright (Senate Foreign Relations) Committee in June 1971, testifying at some length on his thesis that it was the US Government that was at fault, and that if our Government would acknowledge (footnote continued on following page)

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A break came on 1 February 1973, possibly as a slip, more likely as a deliberate acknowledgment,\* at a Presidential news conference approximately one year after the celebrated "Journey for Peace." It was reported by the UPI as follows:

President Nixon Wednesday publicly identified the only civilian American known to be in a Chinese prison as an agent of the Central Intelligence Agency....

During questioning at a news conference, Nixon said the Downey case "Involves a CIA agent."...

"We have no assurance that any change of action, other than the commutation of sentence, will take place," Nixon said, but

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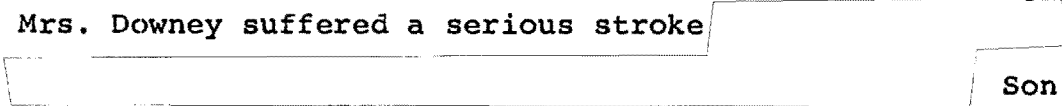
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At a later press conference on 22 February 1973, the White House spokesman announced that Flynn and Smith,\* two US military flyers imprisoned in China, would be released within two weeks and the John Downey case reviewed in the second half of 1973.

Amidst all the diplomatic maneuvering and international power politics, it was in the end Jack's long-suffering mother, Mary Downey, who accomplished her son's release but in a tragic way. On Wednesday 7 March 1973, Mrs. Downey suffered a serious stroke

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Son William was immediately in touch with the Agency and the subsequent events were described by Ben DeFelice in the 6 September interview:

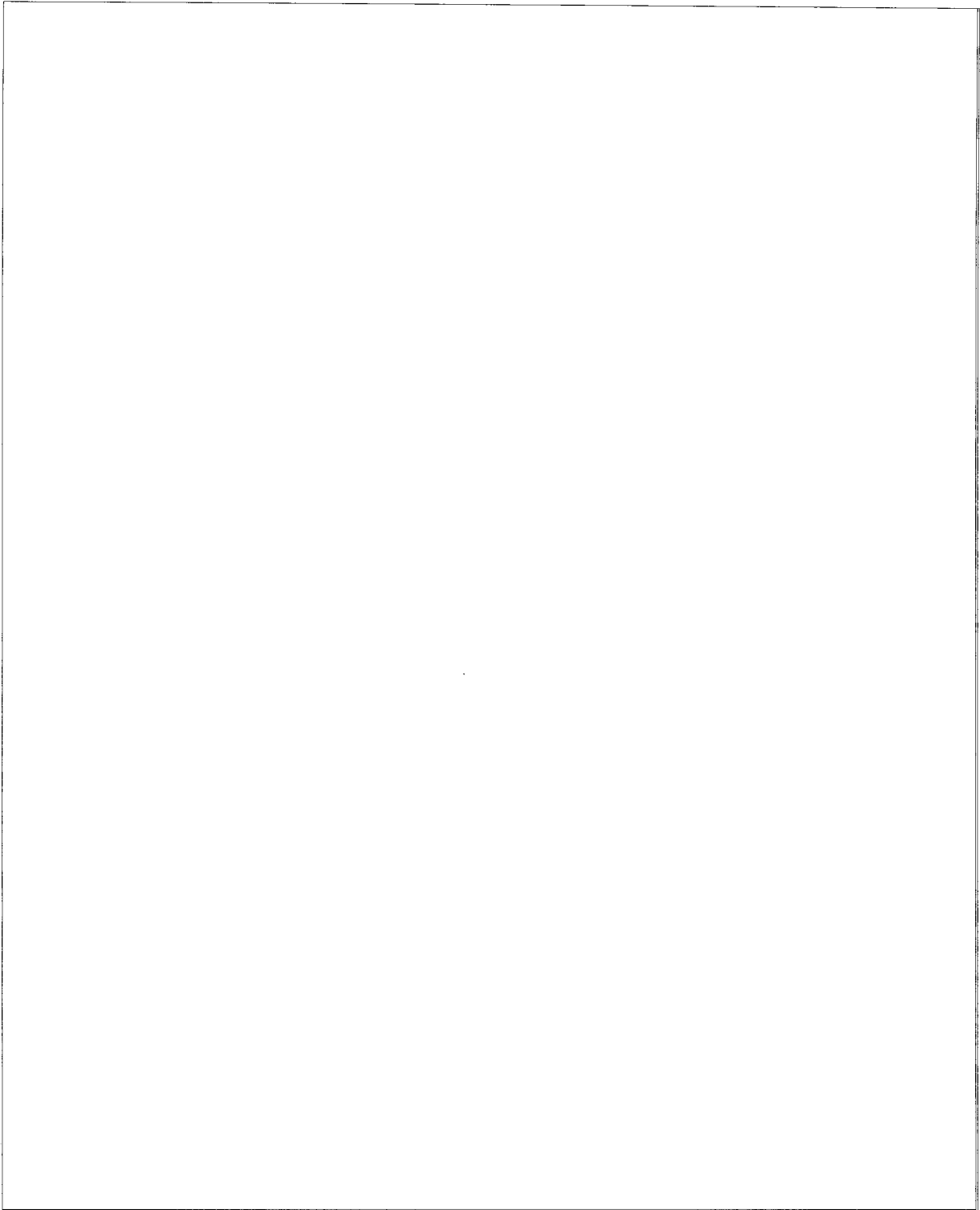
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\* LCDR Robert J. Flynn (USN), shot down on 21 August 1967, and Major Phillip Smith (USAF), shot down in September 1965, both of whom had been imprisoned

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Mother and son were reunited on the night of March 12, Downey having been flown half way around the world in less than 24 hours, to the accompaniment of newspaper headlines that caused his ailing mother to tell him, "You'll probably be a celebrity now -- don't let it go to your head." 219/

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[redacted] Downey's Missing-in-Action status was

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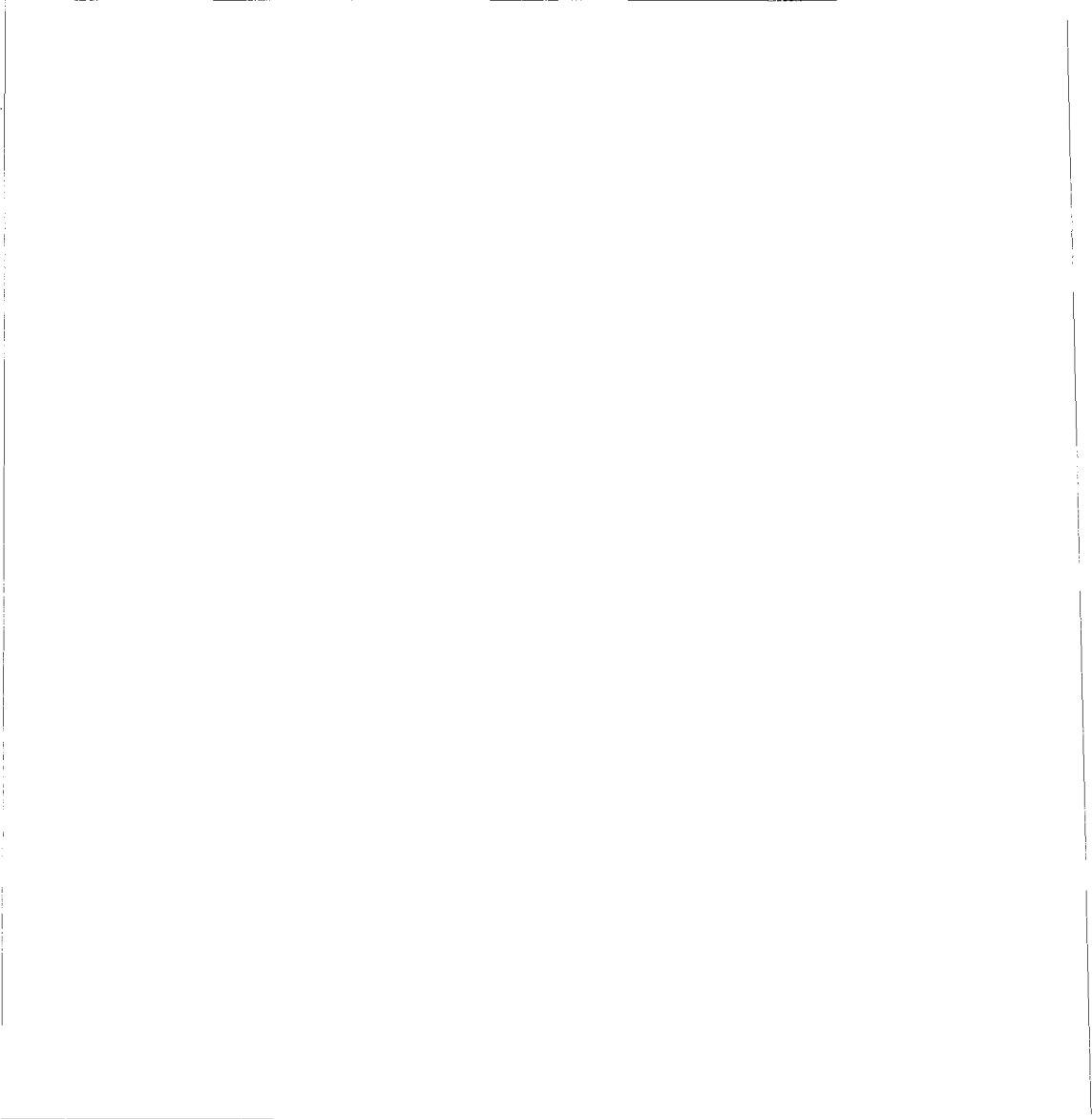
officially ended on 20 March 1973, 220/ and he was

returned to the regular employment rolls

[redacted] (b)(1)

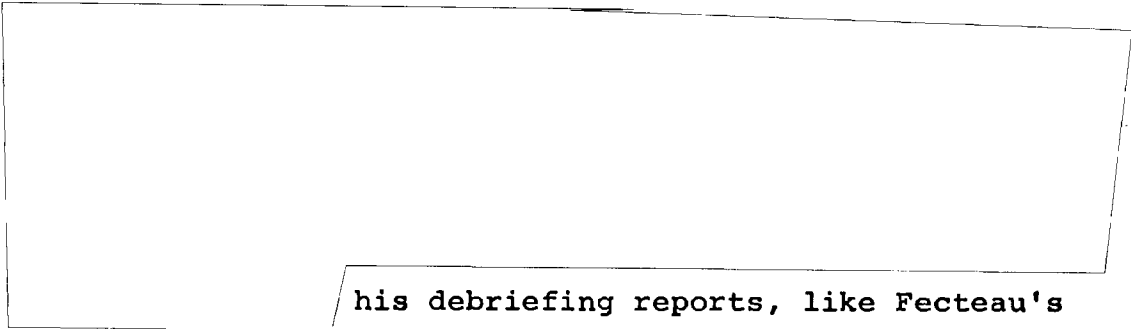
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[redacted] of the Office of Personnel.



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his debriefing reports, like Fecteau's were very detailed and thorough, supplying unique information on topics such as his preliminary "joy ride" into China in August 1952, his assignment to the mission, and capture:

August 1952 Joyride: Jack remembers sometime in the month of August 1952 of hearing [redacted]

[redacted] make a comment in the office of [redacted] indicating his desire for an assistant for the Chinese kicker who was going on an over-flight in the near future. Eager to get in the thick of things, Jack collared him and indicated if [redacted] really wanted somebody to go he would volunteer. [redacted] agreed to accept him on the mission but told him it would have to be off the record and if he were caught aboard the airplane he'd have to indicate it was all his own idea. This mission took off from Japan for Seoul. On the aircraft were [redacted]

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and pilots Norm Schwartz and Bob Snoddy. When the plane was ready to take off from Seoul, [redacted] jumped off but Jack stayed aboard. He recalls seeing [redacted] yelling and gesticulating through the door. Jack gave him a wave and they took off. He had very little to do on the mission. The Chinese was capable and, although Jack gave him some minor assistance, little was needed. The bundle was dropped in northeast China, apparently to the proper signals. He slept on the way back to Tokyo and upon landing there were no repercussions. [redacted] was a man who very much wanted to do the same thing

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himself, seemed to pass it off as "a boys will be boys" action on Jack's part. [redacted]

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Final Mission: Shortly after [redacted] [now DC/FE [redacted]] transferred -- he had put in a team in N.E. China circa July-August 1952 -- there was a second team which was to go in; and it was with this group that Jack was involved. [redacted] was the commander of the holding operation and Jack was the training officer. [redacted] and Jack, under the direction of [redacted] planned this second mission. This was early fall, 1952. There were two aborts and the men refused to go on the third attempt. The group did, however, drop successfully in early October. They laid on the 29 November flight to pick up an agent who had been sent in as a singleton and was due to come out. The original plan had called for two men from CAT to operate the gear. They were recruited and sent to Seoul. A week before the mission Fecteau was sent to Seoul as a back-up for those two men. In mid-week [redacted]

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[redacted] called Jack in and told him that he wanted Downey and Fecteau to fly. He said that the two CAT men did not have proper security clearances. Jack was to make a judgment as to whether or not Dick was competent at the winch operation and if not to look around for somebody else. About two days before the mission, which would have been Thursday, Jack flew to Seoul and met the two CAT employees who would operate the winch. Jack told them to return to [redacted]. These two men were delighted as they were not sure they liked the thing they were beginning to realize that they had volunteered for. Dick had been practicing with them during the week and Jack went on one practice mission.

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The evening of 28 November, they ate in the mess hall at the airstrip. [redacted]

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were all there. [ ] took the identification from Jack. [ ] gave him his .38 and shoulder holster, and he vaguely recalls [ ] writing some kind of note to be sent to the agents attached to the bundle. It is his belief that it included something about "your Friend Jack" being in the aircraft.

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Shoot-Down: He was gung-ho and ready to roll. He had not the slightest expectation of trouble and was eagerly looking forward to the mission. They got off about 20 minutes late (i.e. 9:20 p.m.), they flew east toward the coast, turned left over the water, and ducked into China just east of Chang P'ai, an enormous volcano. As they flew over the cold, moonlit, snow-covered landscape, he couldn't help feeling it was like a moonscape and that everything was fine. They arrived at the DZ about 0015, only slightly late. They saw their signal, which he believes was three bonfires in a single line. They dropped their bundle almost immediately and then proceeded to cruise for about 45 minutes

He recalls that they approached the city of Kirin, a large, well-lit city which kept blacking out section by section as the airplane approached, until it disappeared into a total black void. About 0100 they headed back, made a practice pass across the pick-up poles and line and everything looked fine. Bob Snoddy came back to check and was assured all was OK. Dick was kneeling aft of the winch gear in the open doorway, and Jack just forward of it. The red lights were on, the bell was ringing, and they made a perfect approach.

Just as they hit the target and pulled up there was a barrage of weapons fire. It seemed to concentrate on the pilot's area and the port engine, although there were tracers and bullets going through the floor and whistling by them popping through the cargo compartment. Something

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singed Jack's cheek. The plane rose up sharply, shuddered, seemed to hold there for a moment, and then leveled off into a long glide, smashing through trees for what seemed like a mile or more, coming to a stop with the nose slightly up a knoll - more like a crash landing than a true crash. 225/

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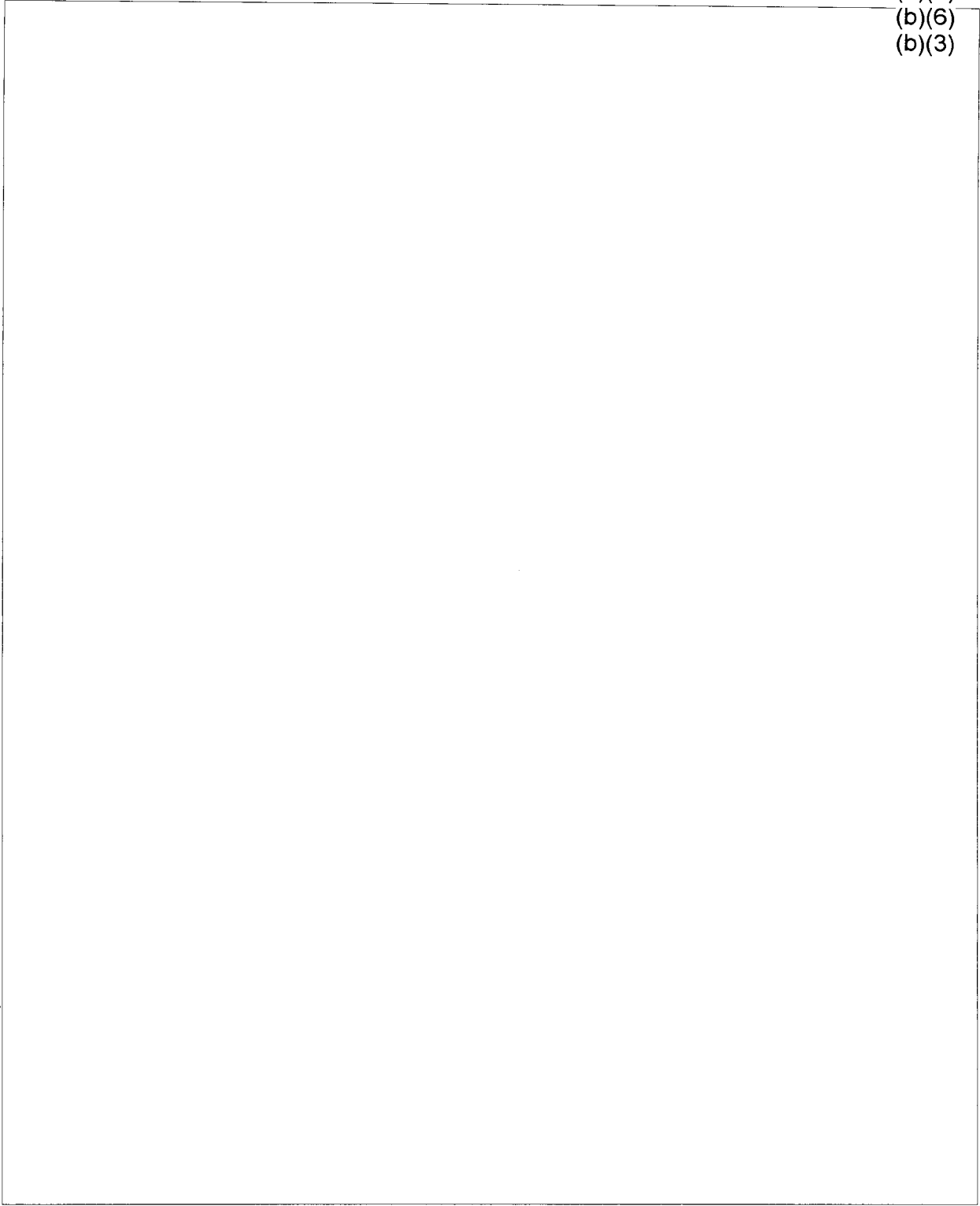
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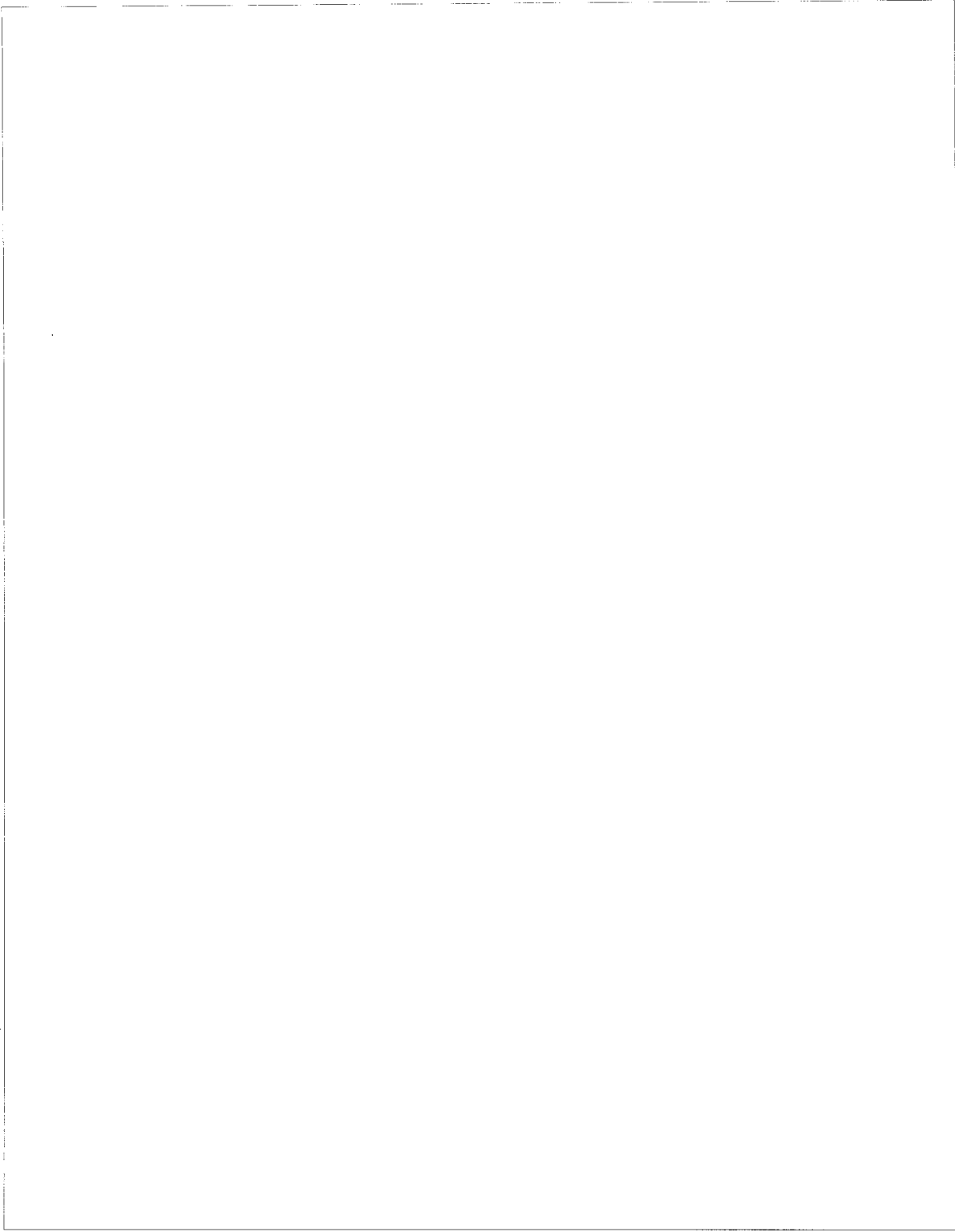
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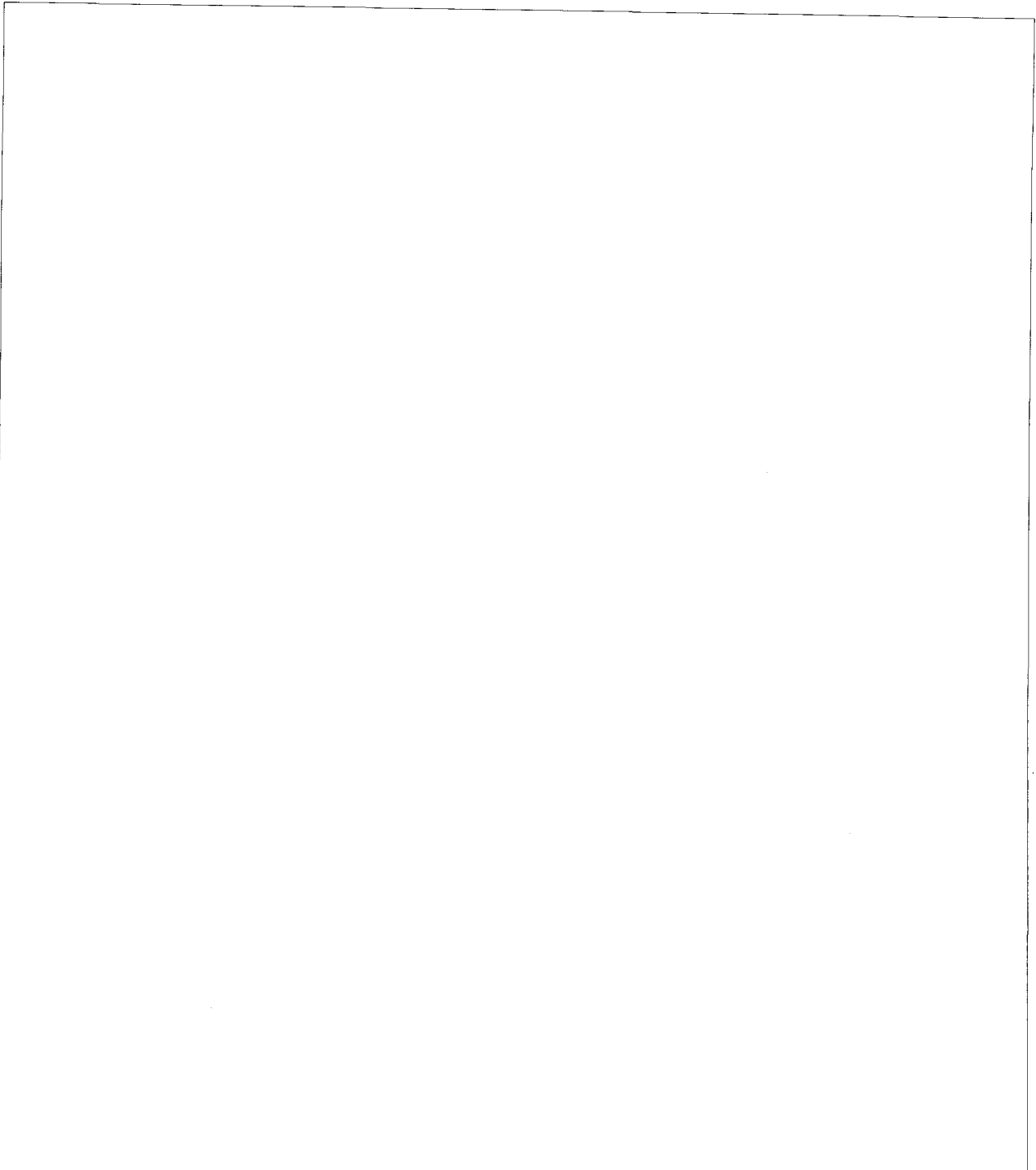


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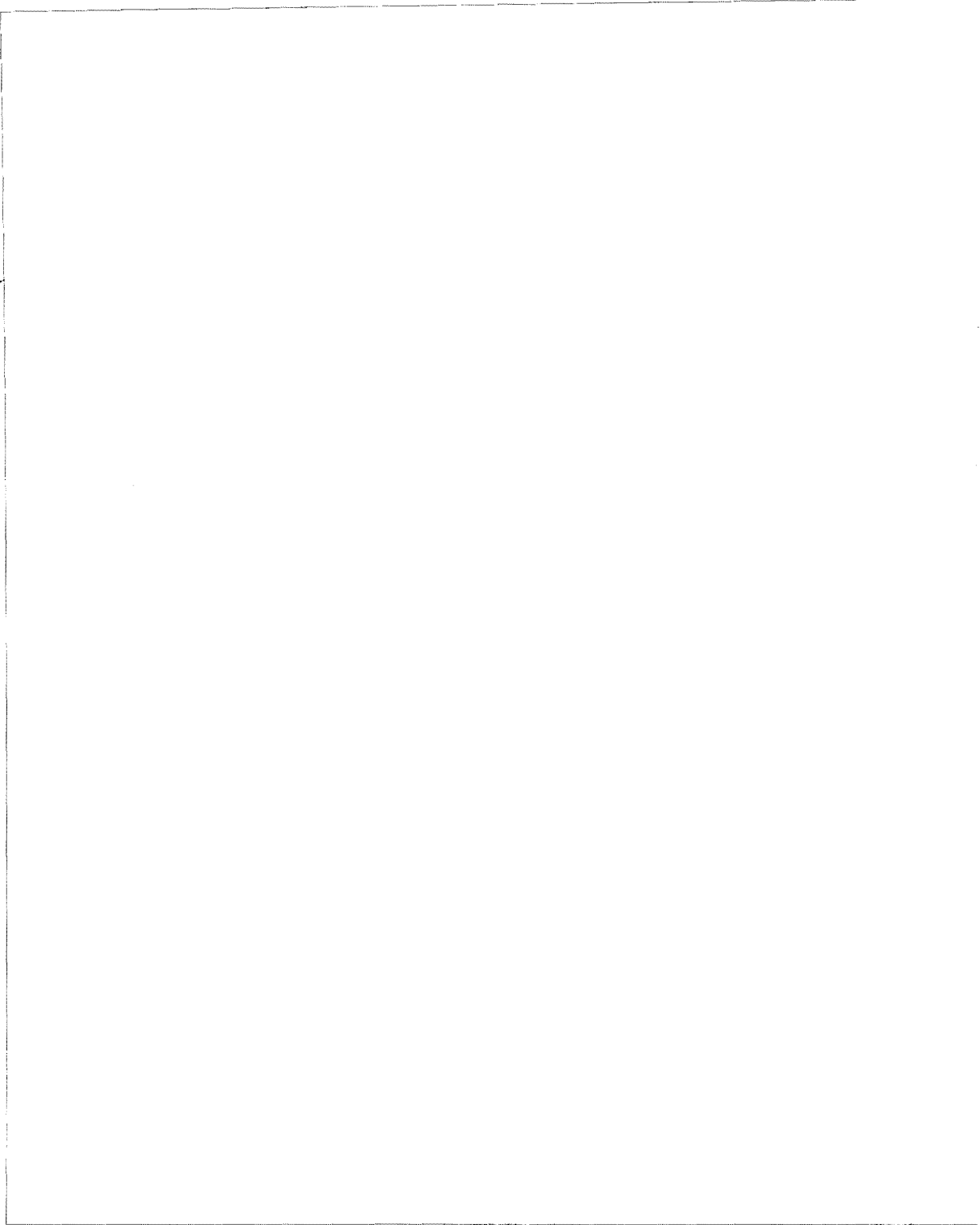
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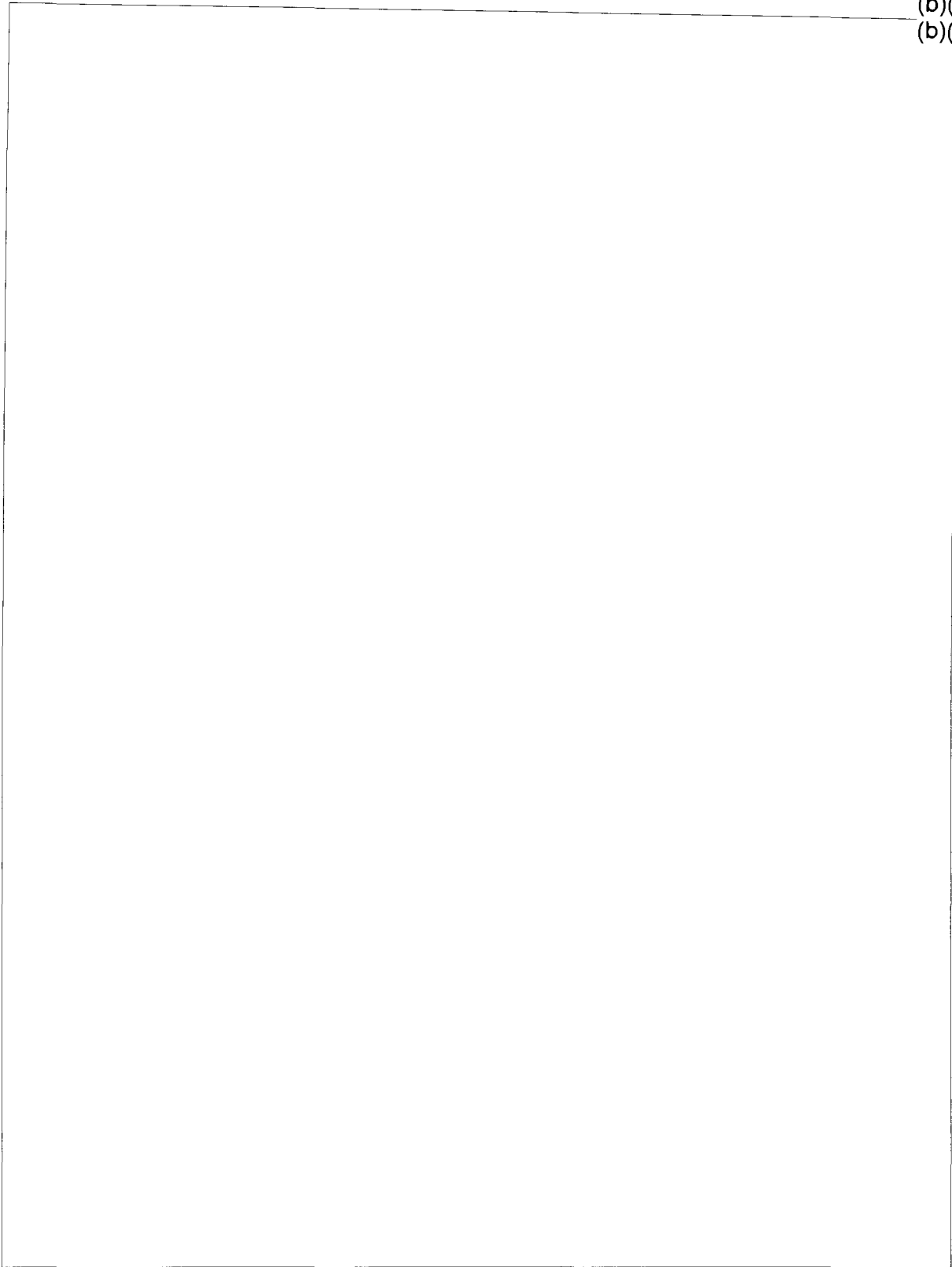


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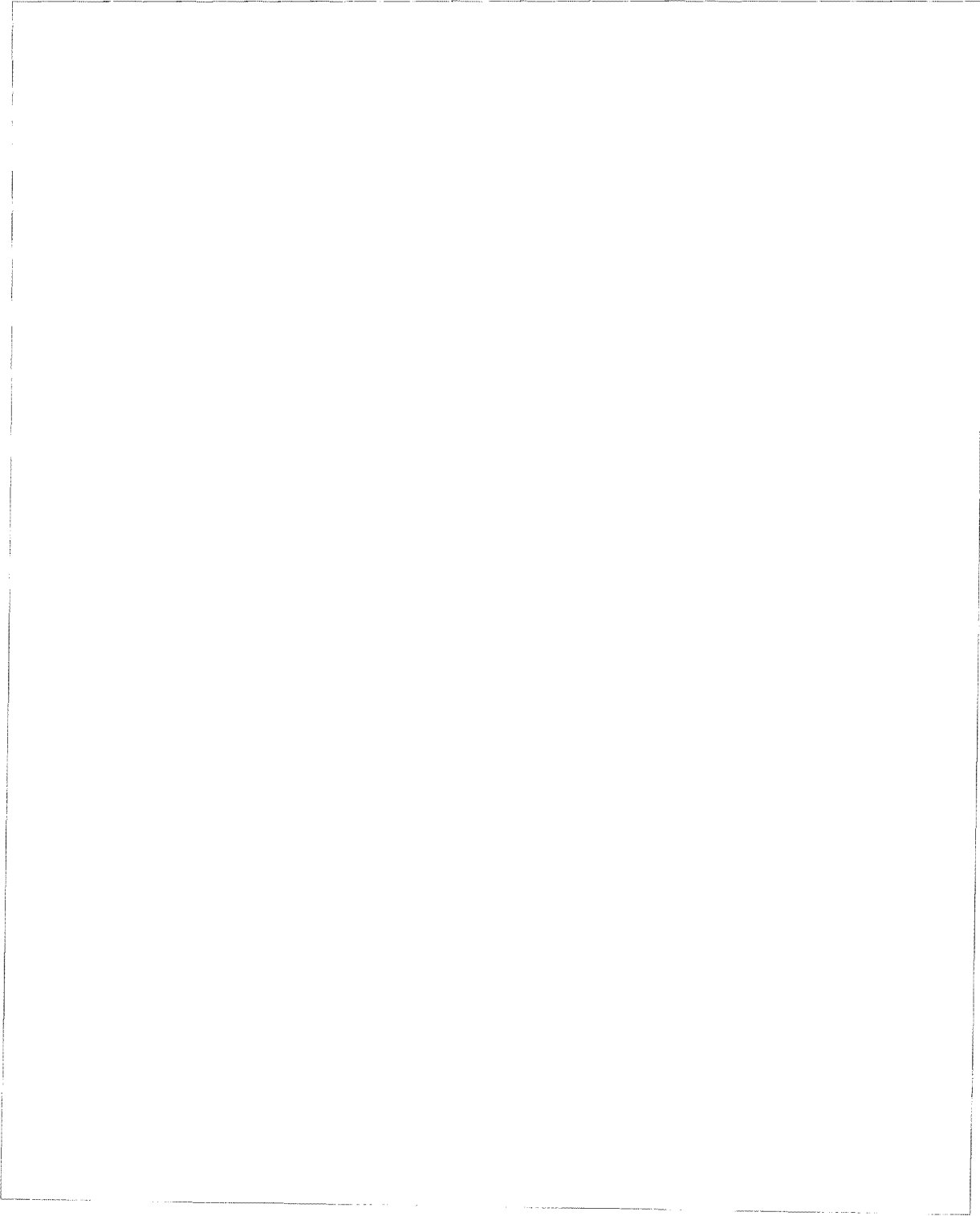
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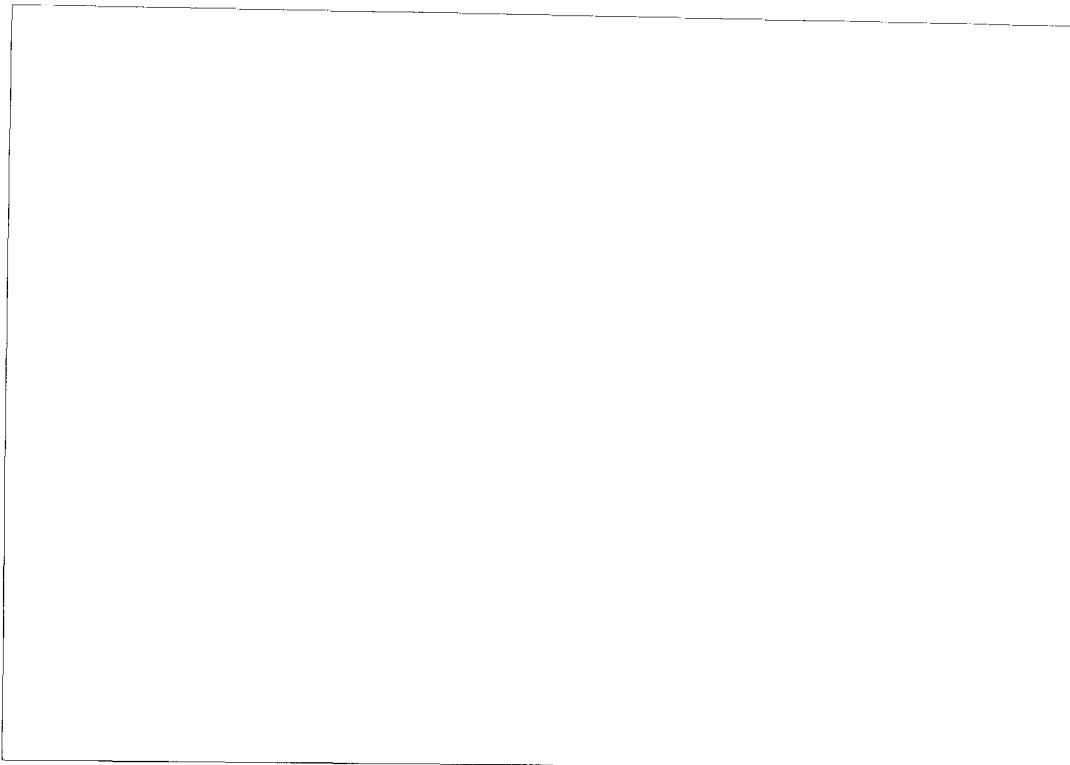
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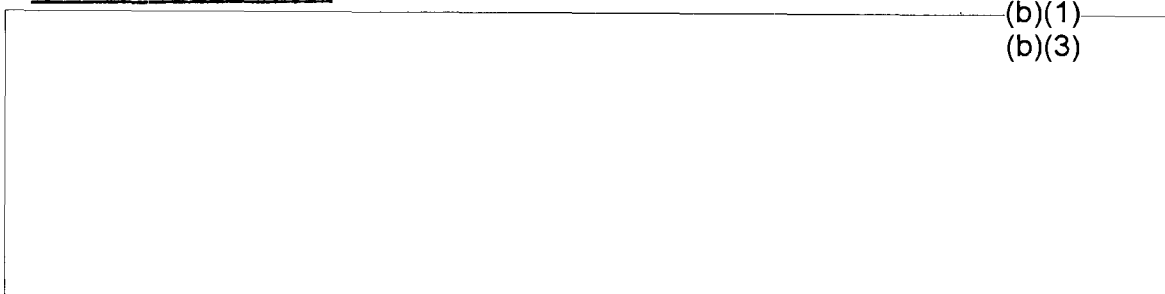
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Awards and Decorations

With everyone home, and with the responsibility for handling the MIAs affairs transferred to the individuals again, the ad hoc committee turned to the unfinished business of awards and decorations for the former captives.\* The subject had been raised from time to time throughout the years,\*\* notably in the



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Francis Gary Powers case

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On 15 November 1971 in anticipation of the Downey-Fecteau release, Agency spokesman, Angus Thuermer, raised the question with the Director.

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There the matter stood during the actual return (including the administrative activity concerned with the return) of Messrs. Fecteau, Downey,

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When taken up by the ad hoc committee in the early summer of 1973, the subject of honor awards was considered

for

Richard

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Fecteau, John Downey;

The committee

took the position that each of the employees performed as well as could be expected under the circumstances of his capture and imprisonment.

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[REDACTED]

[REDACTED] the committee agreed that the ordeal which each and every prisoner endured entitled him to an appropriate award.

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[REDACTED]

The committee recommended that Fecteau be granted an additional award -- the Intelligence Medal of Merit -- for his outstanding performance and personal conduct during the period following his release until the time Downey was released. Fecteau flatly refused to consider any of the numerous lucrative offers he received to tell "his story" lest any statement of his might adversely affect Downey's chances of release. [REDACTED]

[REDACTED]

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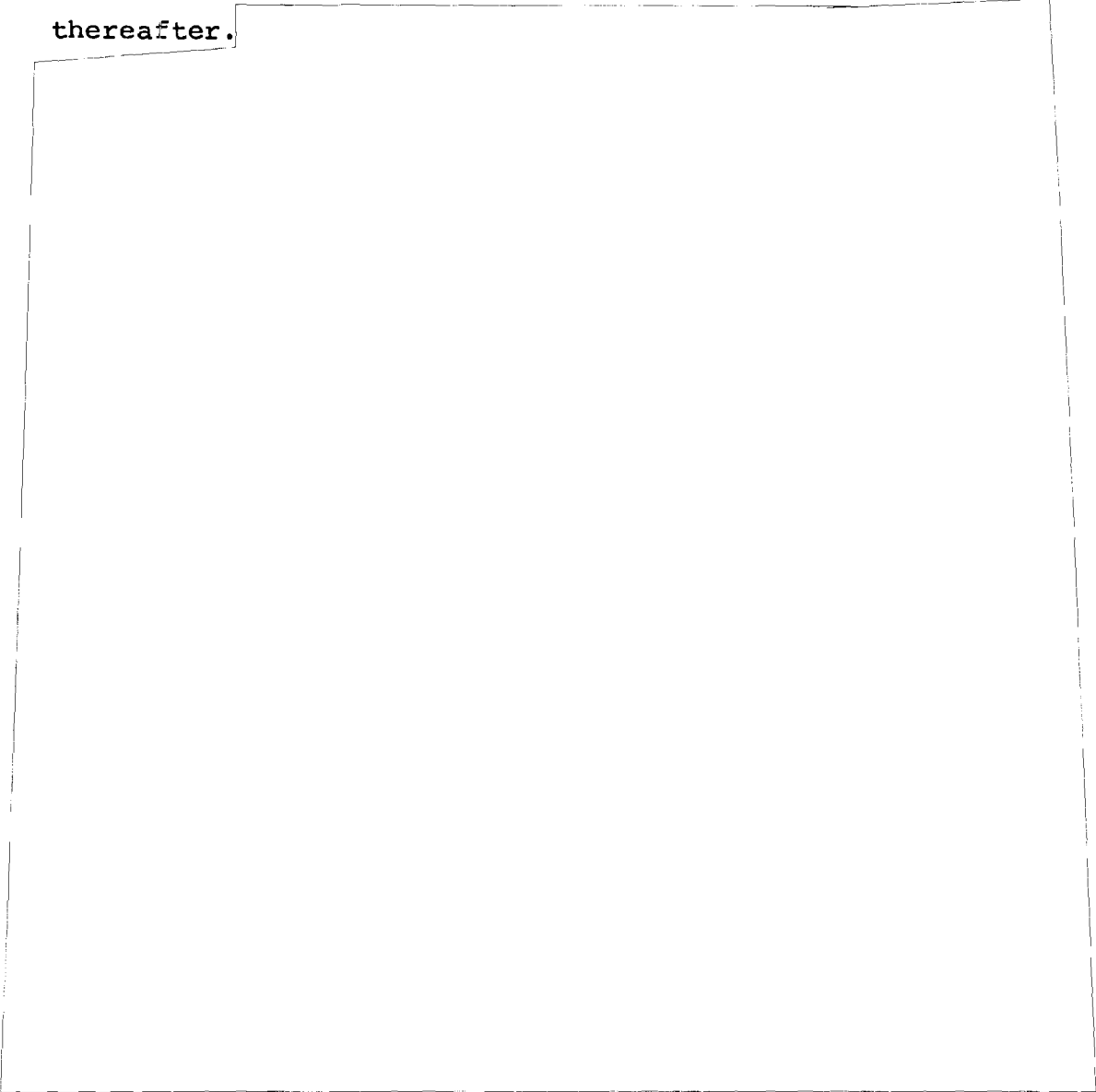
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On 17 July 1973, 242/ the above recommendations were forwarded by the Director of Personnel for final determination by the Director of Central Intelligence. The recommendation represented the final official act of the ad hoc committee and it was dissolved shortly thereafter.

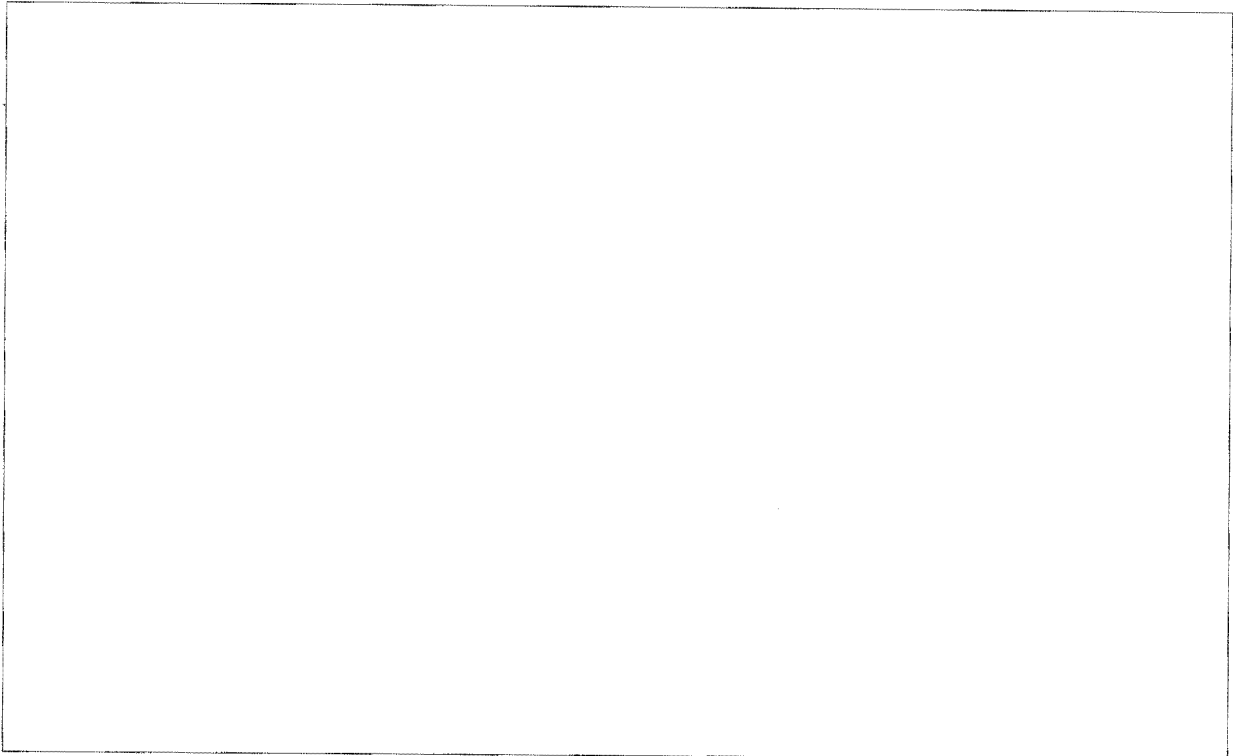
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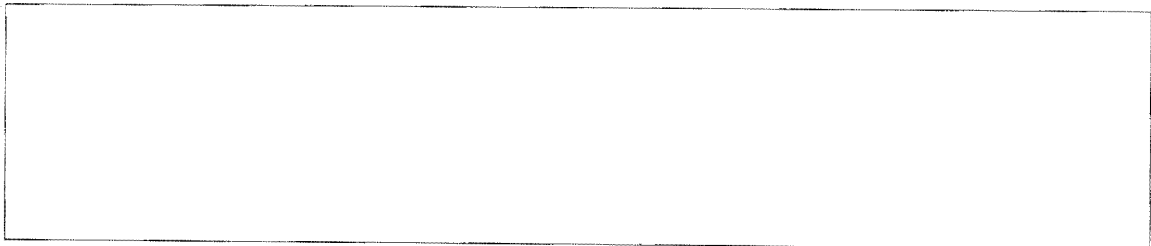
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RICHARD G. FECTEAU

Distinguished Intelligence Medal\*\* for the period  
November 1952 to December 1971

Mr. Richard G. Fecteau is hereby awarded the  
Distinguished Intelligence Medal in recognition  
of his courageous performance from 29 November 1952



(b)(3)

\*\* The Distinguished Intelligence Medal may be awarded  
for performance of outstanding service or for achievement  
of a distinctly exceptional nature in a duty of responsi-  
bility, the results of which constitute a major contribu-  
tion to the mission of CIA.

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RICHARD G. FECTEAU

Intelligence Medal of Merit\* for the period December 1971 - March 1973

Mr. Richard G. Fecteau is hereby awarded the Intelligence Medal of Merit in recognition of his meritorious service from 13 December 1971 to 3 March 1973. During this period which immediately followed his release after more than 19 years imprisonment in China, he was deluged with requests from all facets of the news media and a variety of publishing firms for his story of his many years in prison. Mr. Fecteau refused these numerous requests, foregoing rather sizeable financial offers rather than risk the possibility that such publicity might adversely affect the personal welfare and possible future release of a fellow employee who was still imprisoned in China. Mr. Fecteau's

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\* The Intelligence Medal of Merit may be awarded for the performance of especially meritorious service, or for an act or achievement conspicuously above normal duties which has contributed significantly to the mission of CIA. (All above as defined in  October 1972.)

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exemplary conduct during this extremely trying period was testimony to his deep concern for and loyalty to his associate and reflects great credit on him and the Central Intelligence Agency.

JOHN T. DOWNEY

Distinguished Intelligence Medal for the period  
29 November 1952 - March 1973

Mr. John T. Downey is hereby awarded the Distinguished Intelligence Medal in recognition of his courageous performance from 29 November 1952 to 12 March 1973. While in the performance of his duties, Mr. Downey was captured, tried, convicted and sentenced to life imprisonment. He was released after more than 20 years.

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(b)(3)Postscript to An Era

Writing the history of the MIAs has been an inspiring task although at times a depressing one. So much was asked of so few in the period of the so-called cold war. Advocates of the devil theory can blame the cold war and the attendant loss of lives in Korea, Vietnam, and other parts of the world on the austere and moralistic John Foster Dulles who, for close to a decade, had almost absolute control of US foreign policy. A more moderate view would consider the philosophical question of whether men make events or events make men.

On the inspirational side, the outstanding impression that remains after months of researching and writing is one of pride in the Agency's men and their families,

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"Human Small Change in the Confrontation Between Great Powers," is what Downey and Fecteau were called in the US media, but their history refutes this label. The men did not think they were small change, the Agency did not think they were, nor, for that matter, did the United States Government. Just as the Navy would send a destroyer and 300 men and the Air Force a flight of aircraft to rescue one downed pilot, so did the Agency and the US Government in a less dramatic way maintain a "behind the scenes" effort -- 20 years in the case of Downey and Fecteau -- to free its prisoners and to keep a constant vigil over their personal affairs and those of their families.

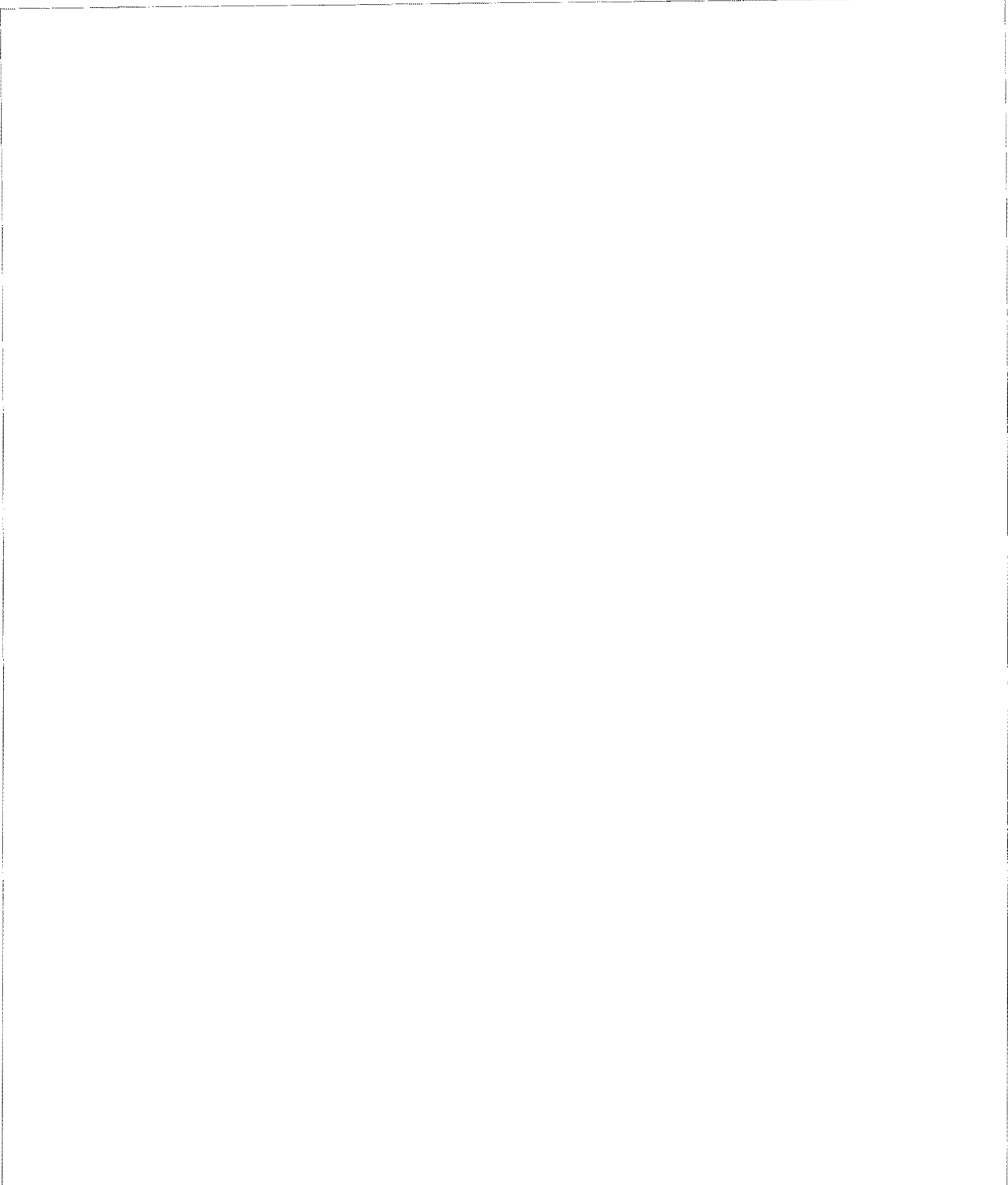
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In all fairness, it must be mentioned that both survivors, Richard Fecteau and John Downey, testified upon their return that there was little chance of their release in the climate of extreme hostility that existed between the two countries, that it would have taken a broad policy change to free them. It is also significant that one of the priority items on the Kissinger "detente" agenda in 1971 was the prisoner issue.

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The history leaves many questions unanswered.

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In the meantime,

what we do have are many memorable items, some of which would make good movie or television "shots" in the hands of the right producer:

The Peking trial with Dick Fecteau muttering to Jack Downey in the next docket, "Who's your tailor."

Jack Downey being ushered into a cell full of Americans -- the Arnold group -- after two years of solitary confinement.

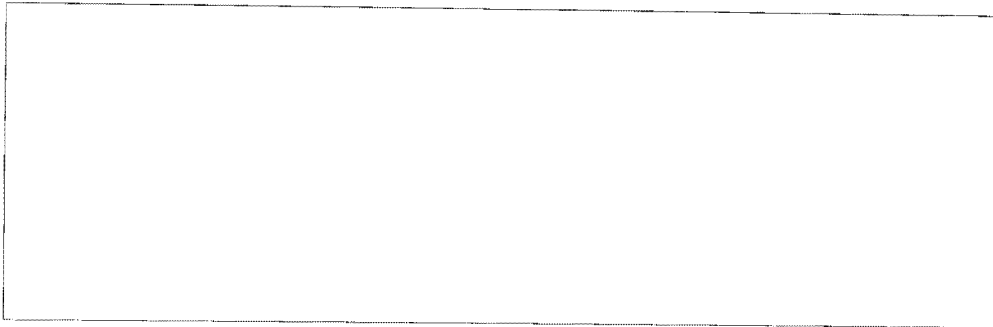
Mrs. Mary Downey, the indomitable mother, shaking her finger at Secretary of State Christian Herter while she lectured him about her son's release.

The Ambassadors at Warsaw discarding the agenda item on the prisoners for the 175th time.

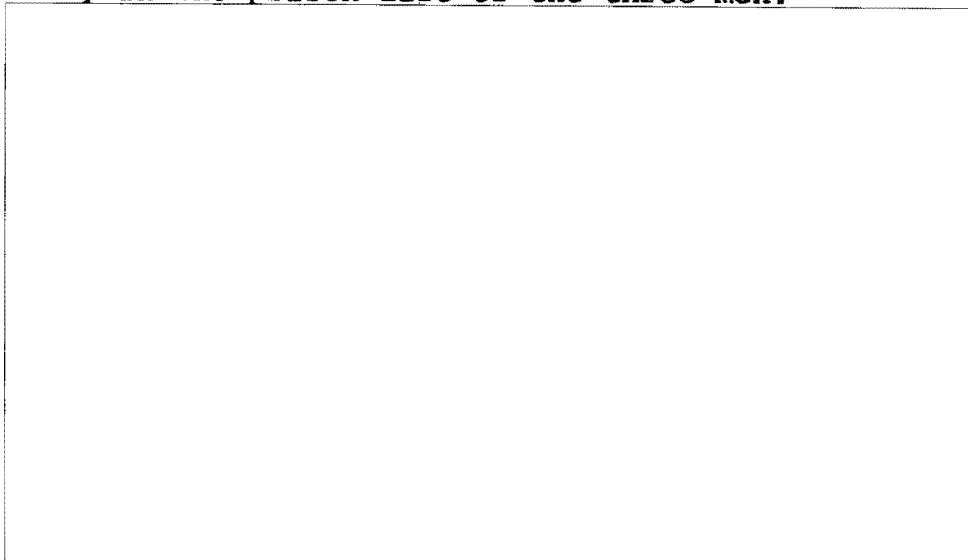
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The solidarity of the Cuban captives despite wide differences in age, grade, and temperaments. The description by Consul General Kessler of one day in the prison life of the three men.

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John Downey being saluted by the British soldier in Hong Kong upon his release, the first act of "dignity" he had received in 20 years.

Mrs. Mary Downey, the aged and desperately ill mother, admonishing her son upon his release, "You are a celebrity now; don't let it go to your head."

The listing could go on. As O'Henry said of New York City, there are a million stories in the MIA history. It has been a privilege and an honor to record some of

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them, and particularly to have the personal contact,  
through the medium of the Oral History, with

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John Downey and Richard Fecteau.

They would be extremely embarrassed by it, but none  
the less they and their fellow prisoners deserve a  
poetic closing:

There is a time, we know not when,  
A point we know not where,  
That marks the destiny of men,  
For Glory or Despair.\*

---

\* *The Doomed Man* by Joseph Addison Alexander, 19th  
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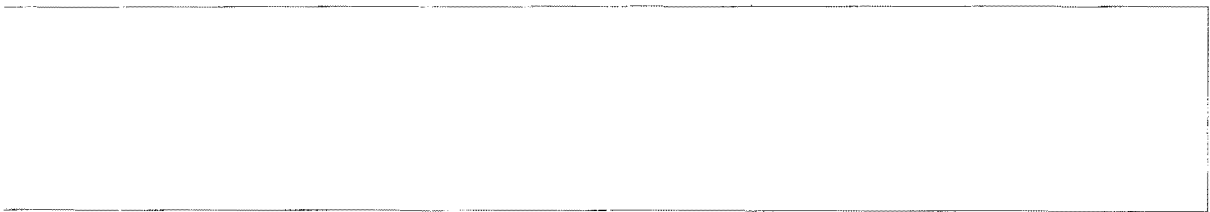
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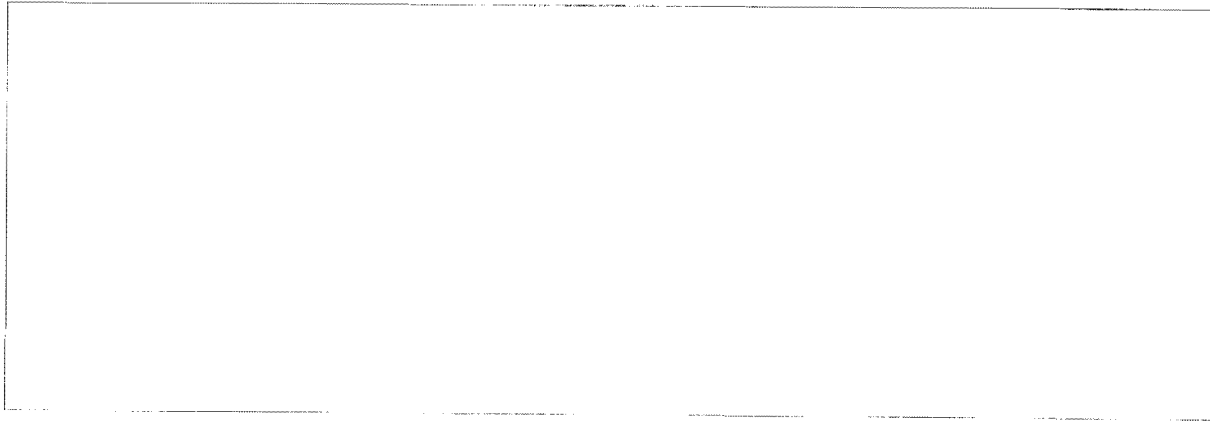
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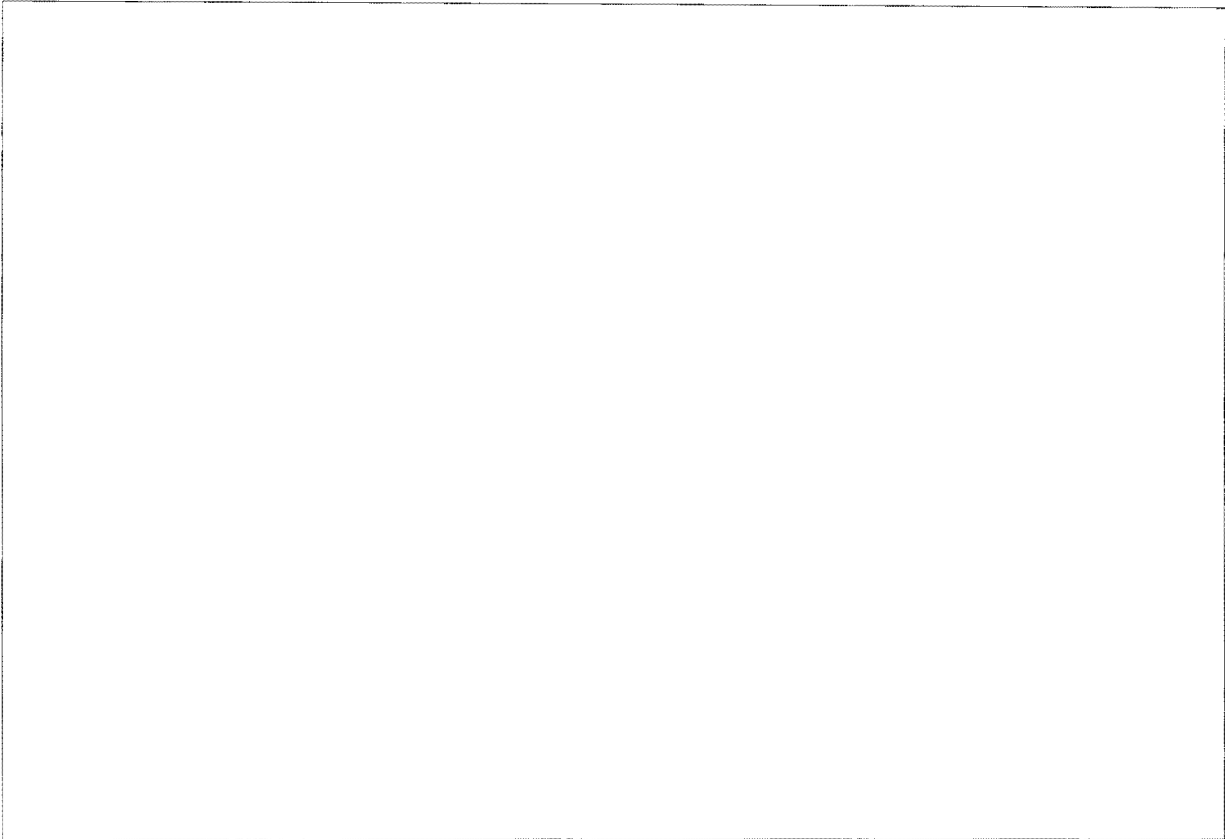
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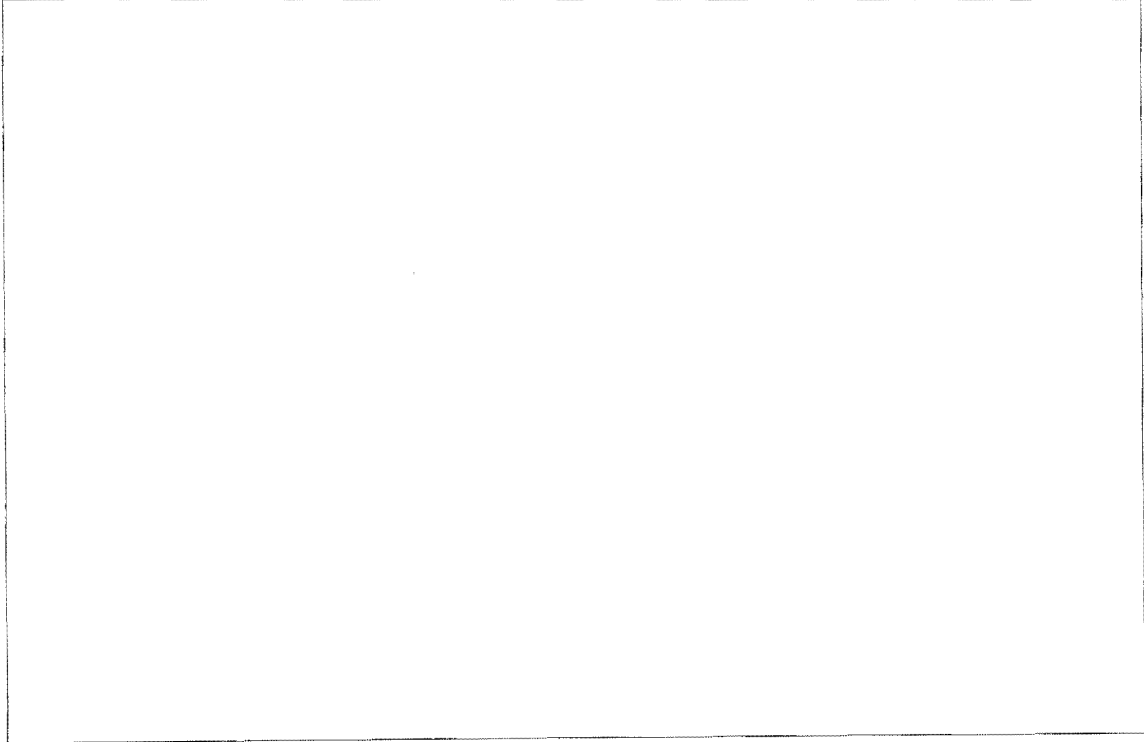
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1948 - 1973

VOLUME II

*by*

*James J. White*

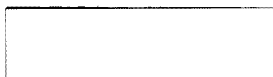
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1948 - 1973

VOLUME II

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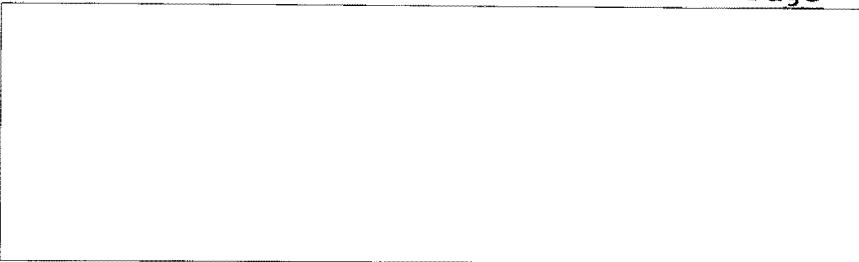
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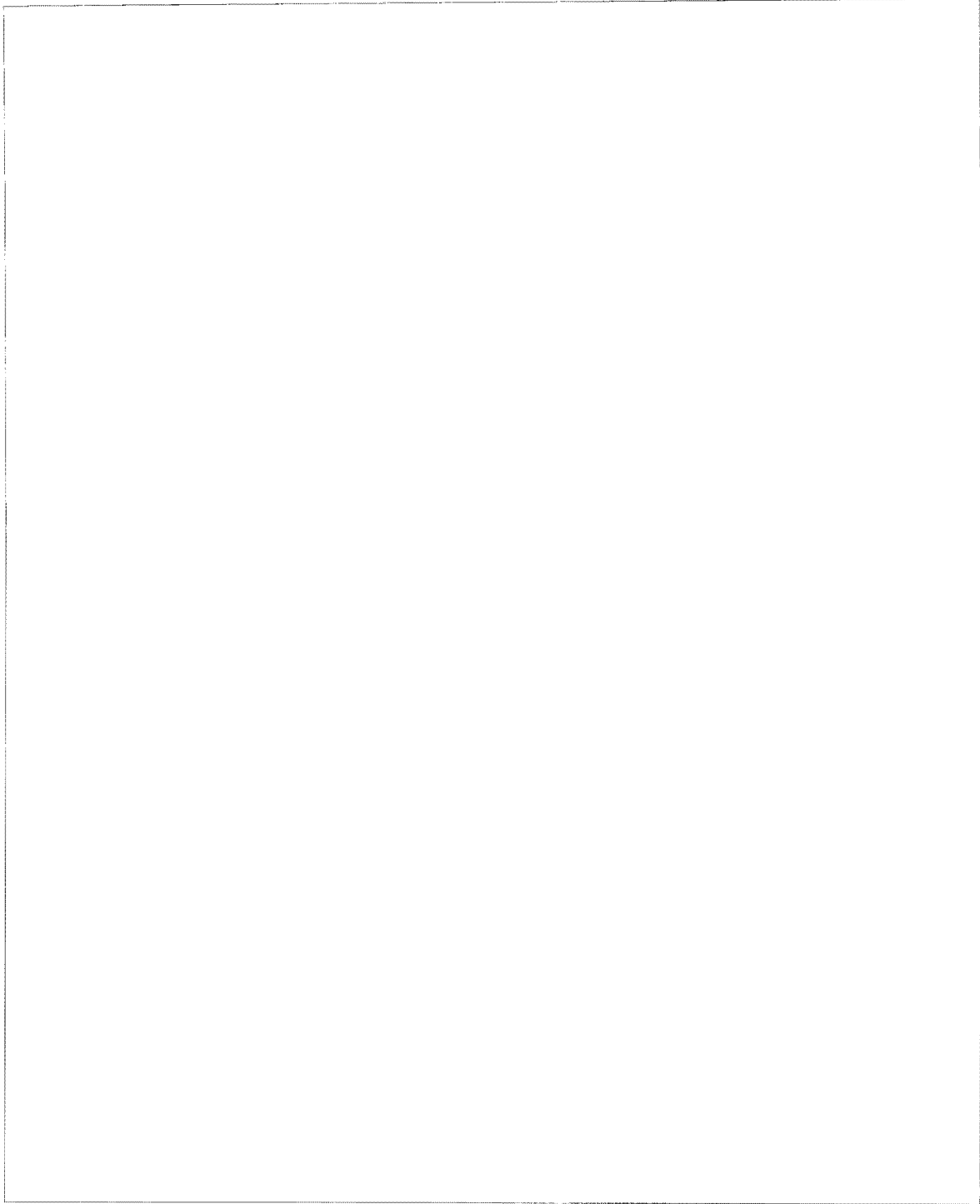
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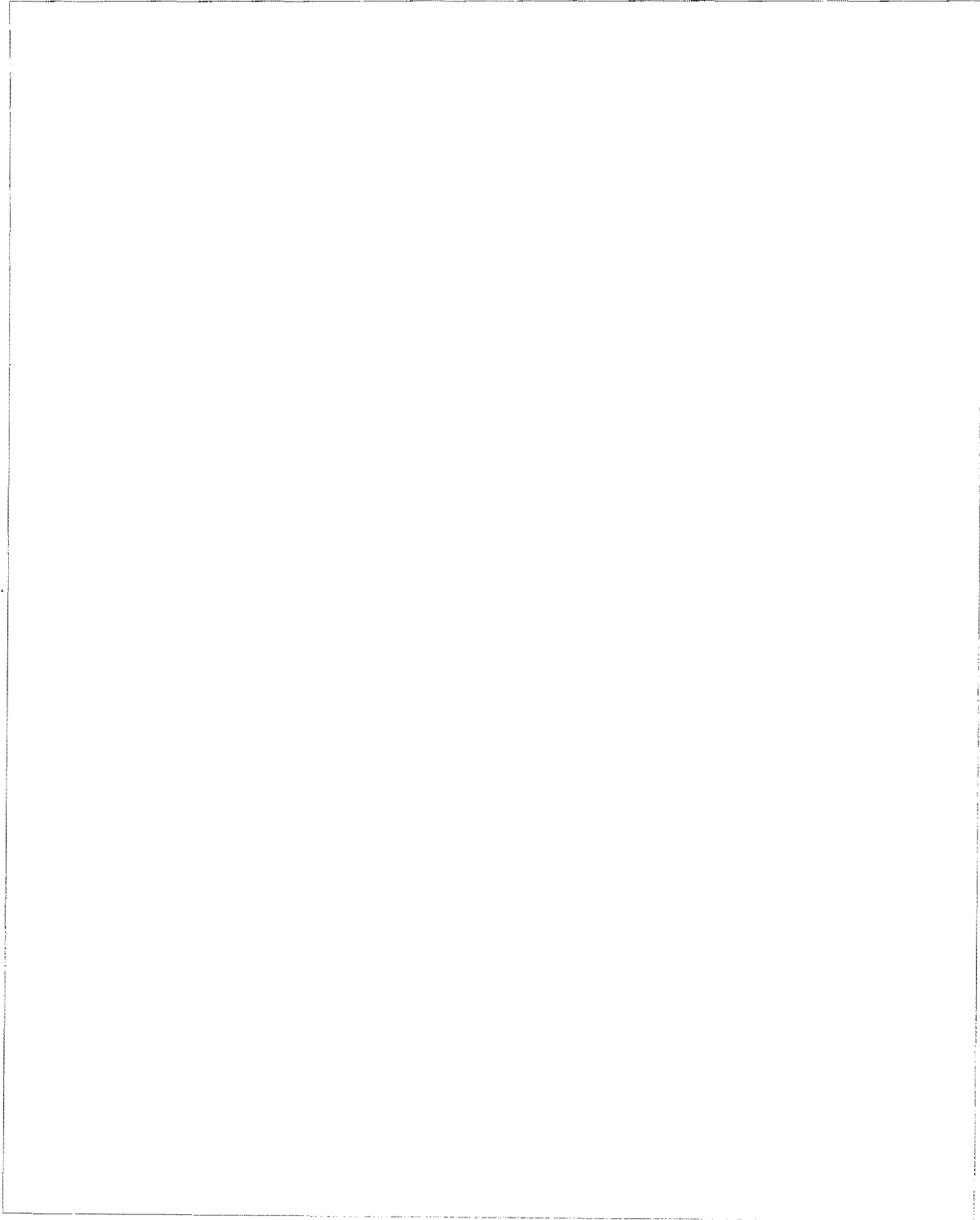
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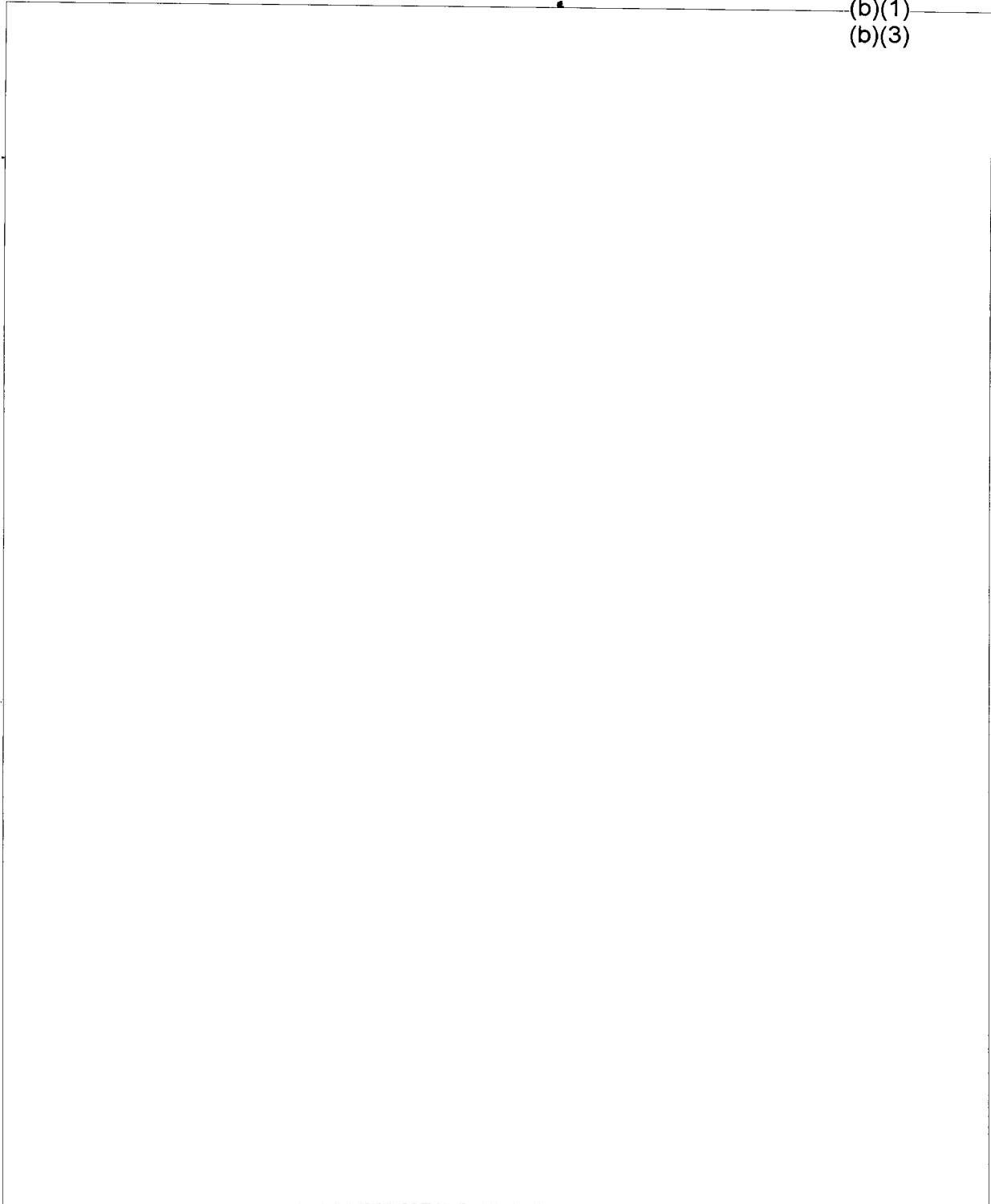


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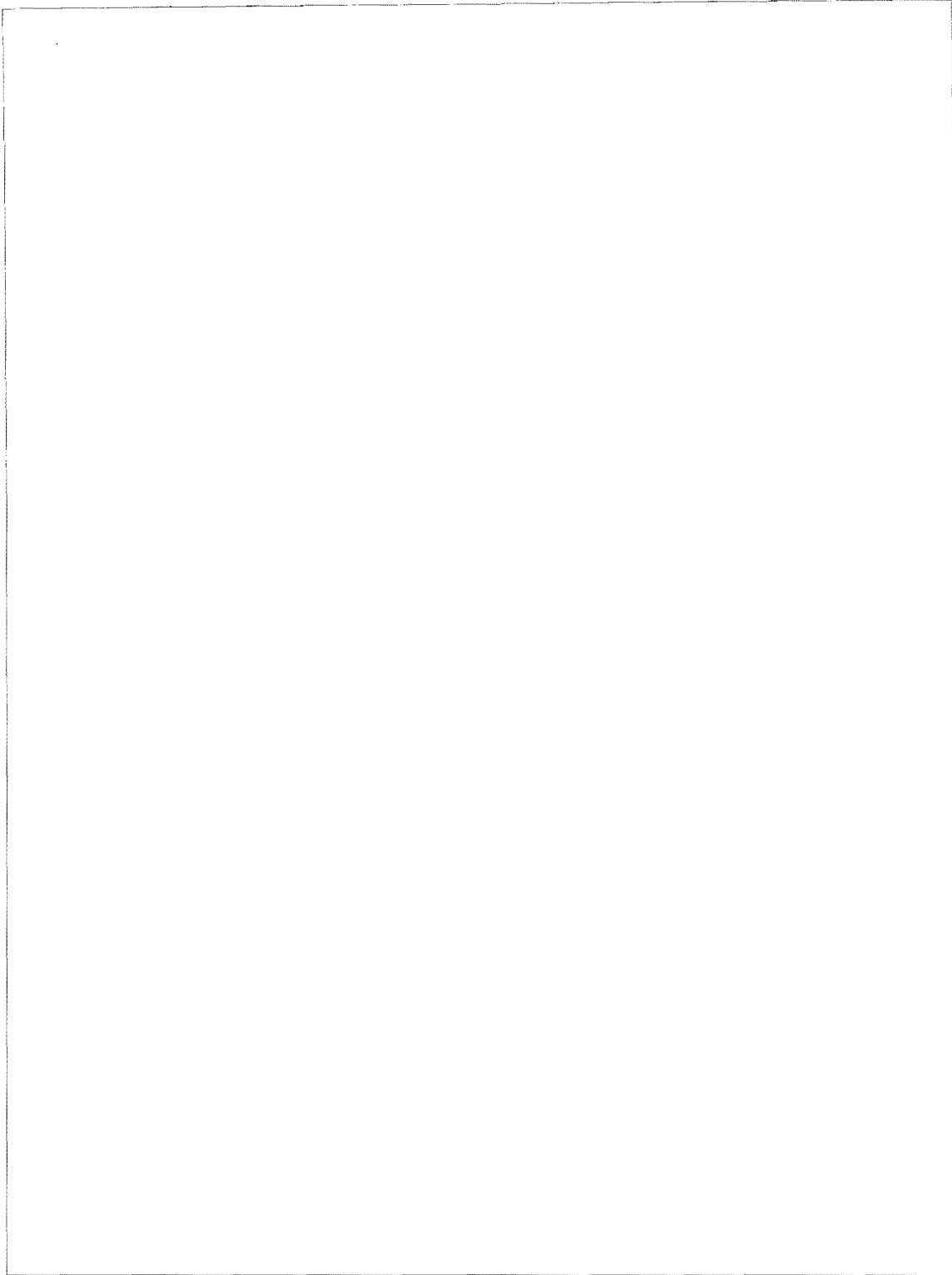
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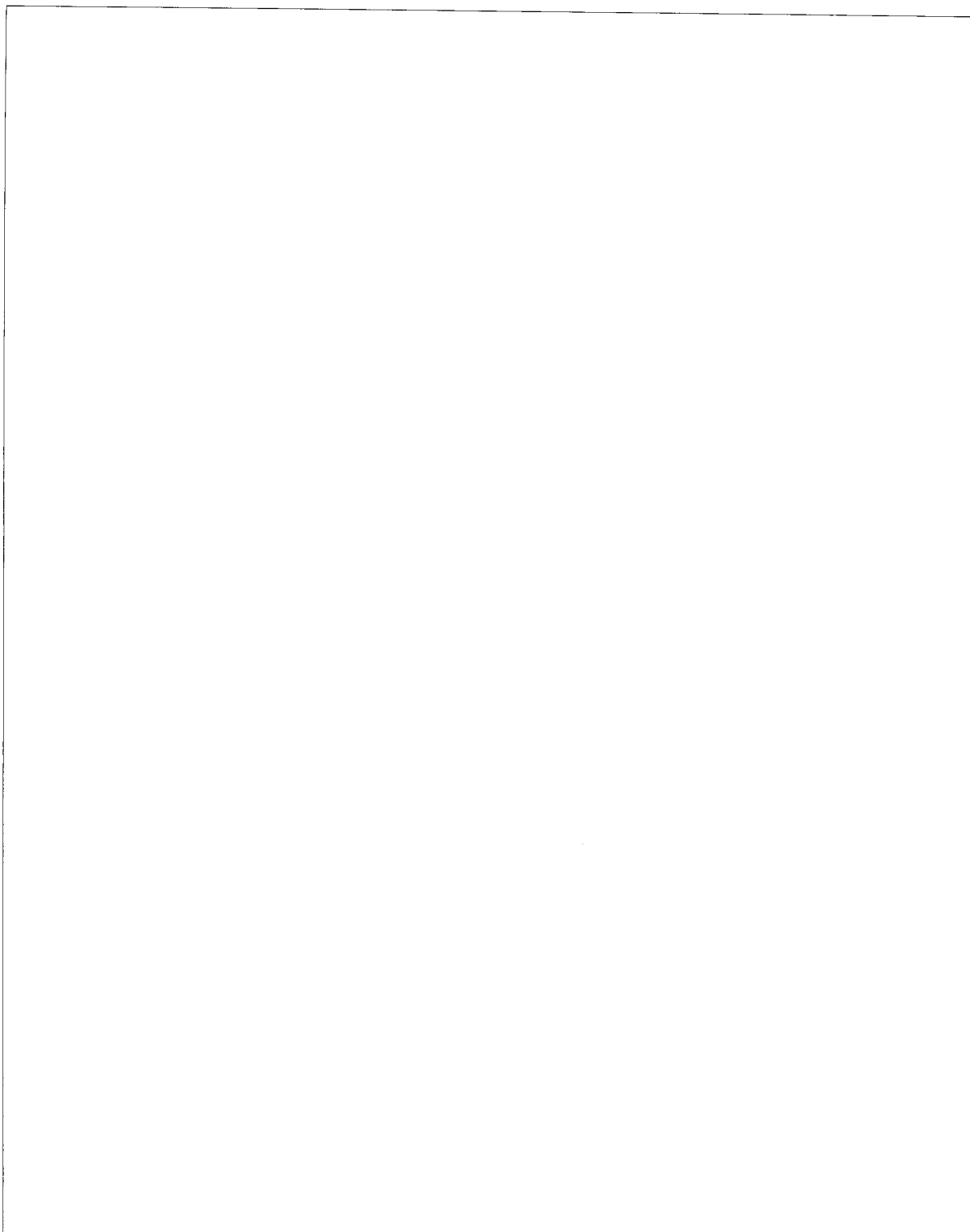
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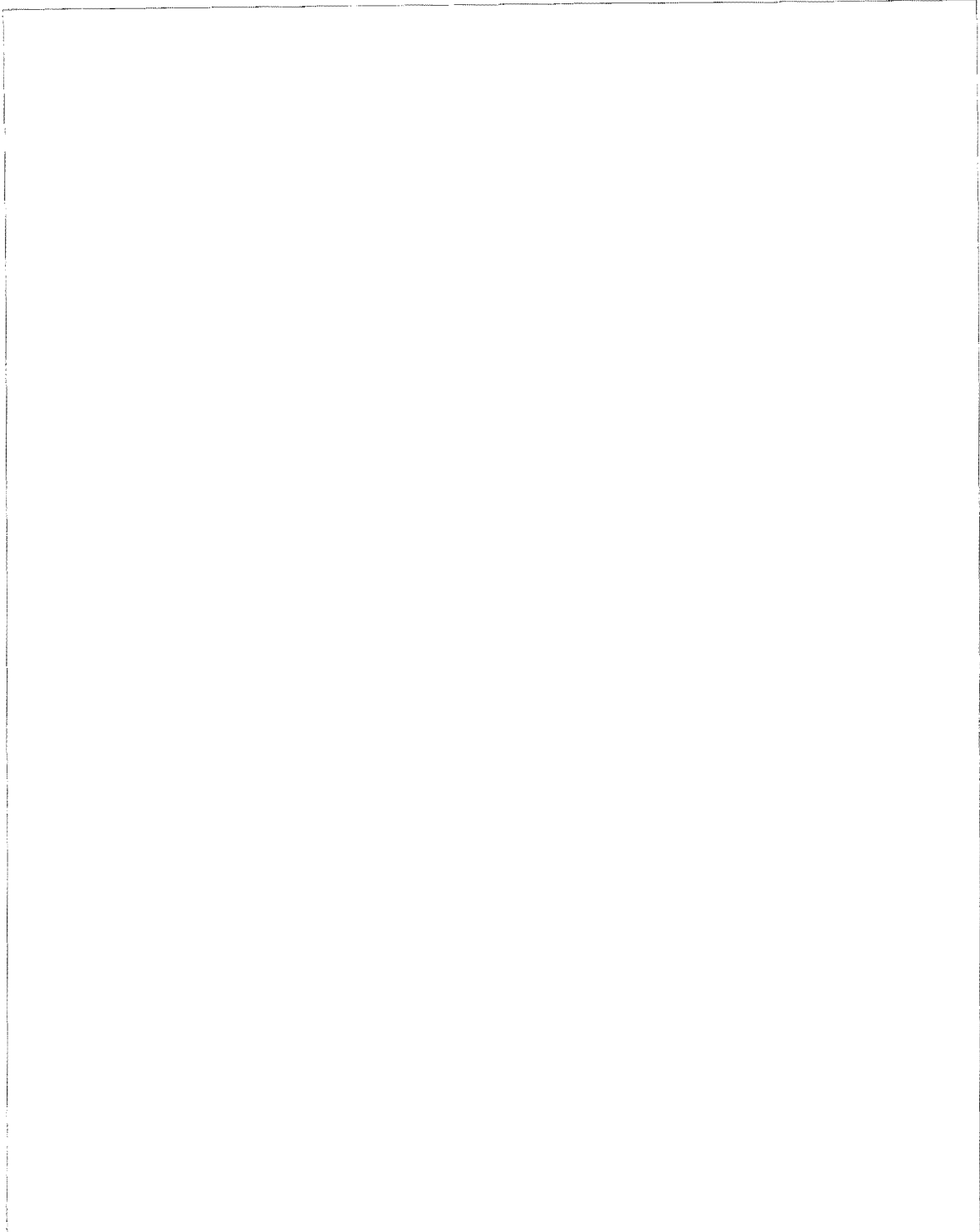


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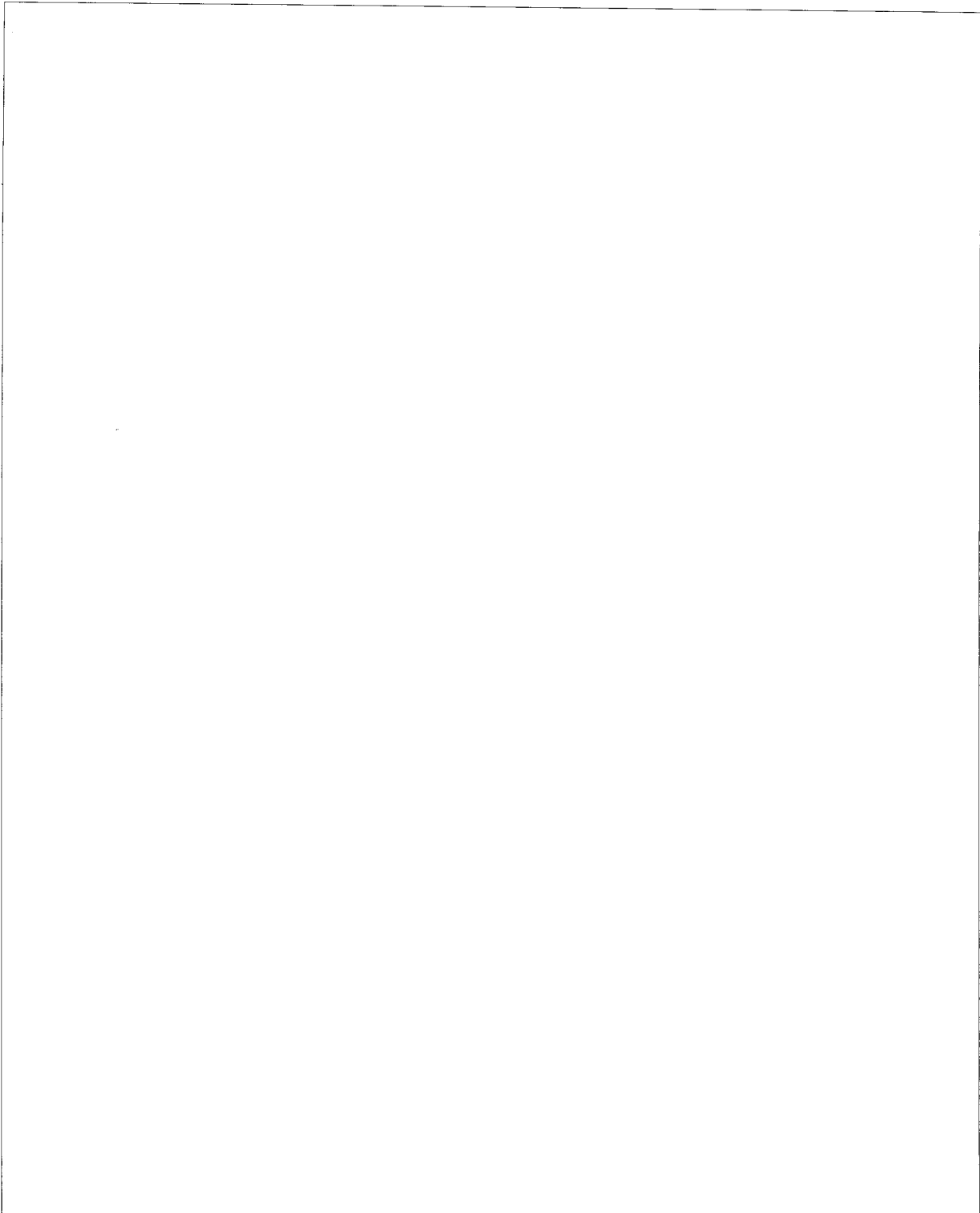
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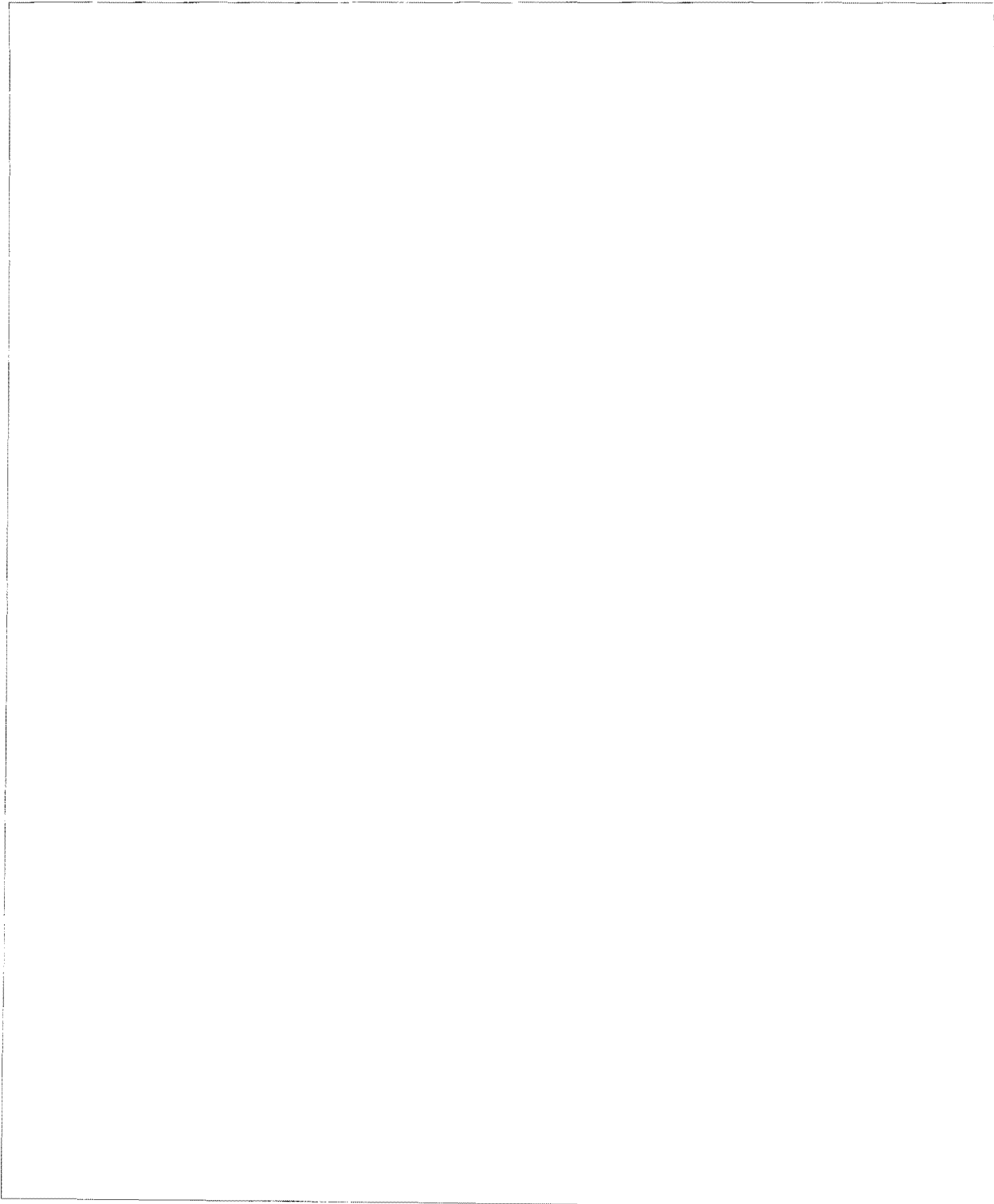


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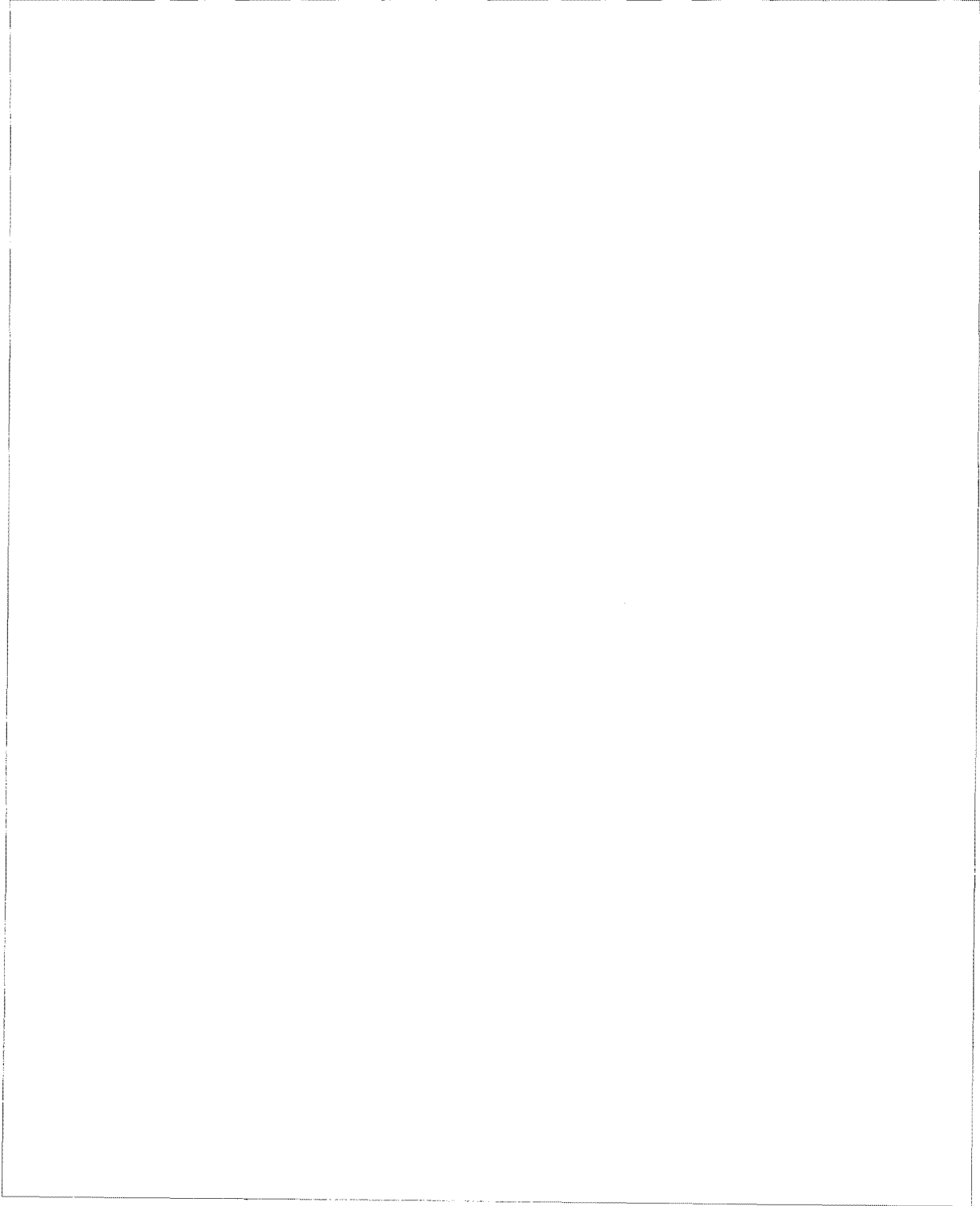
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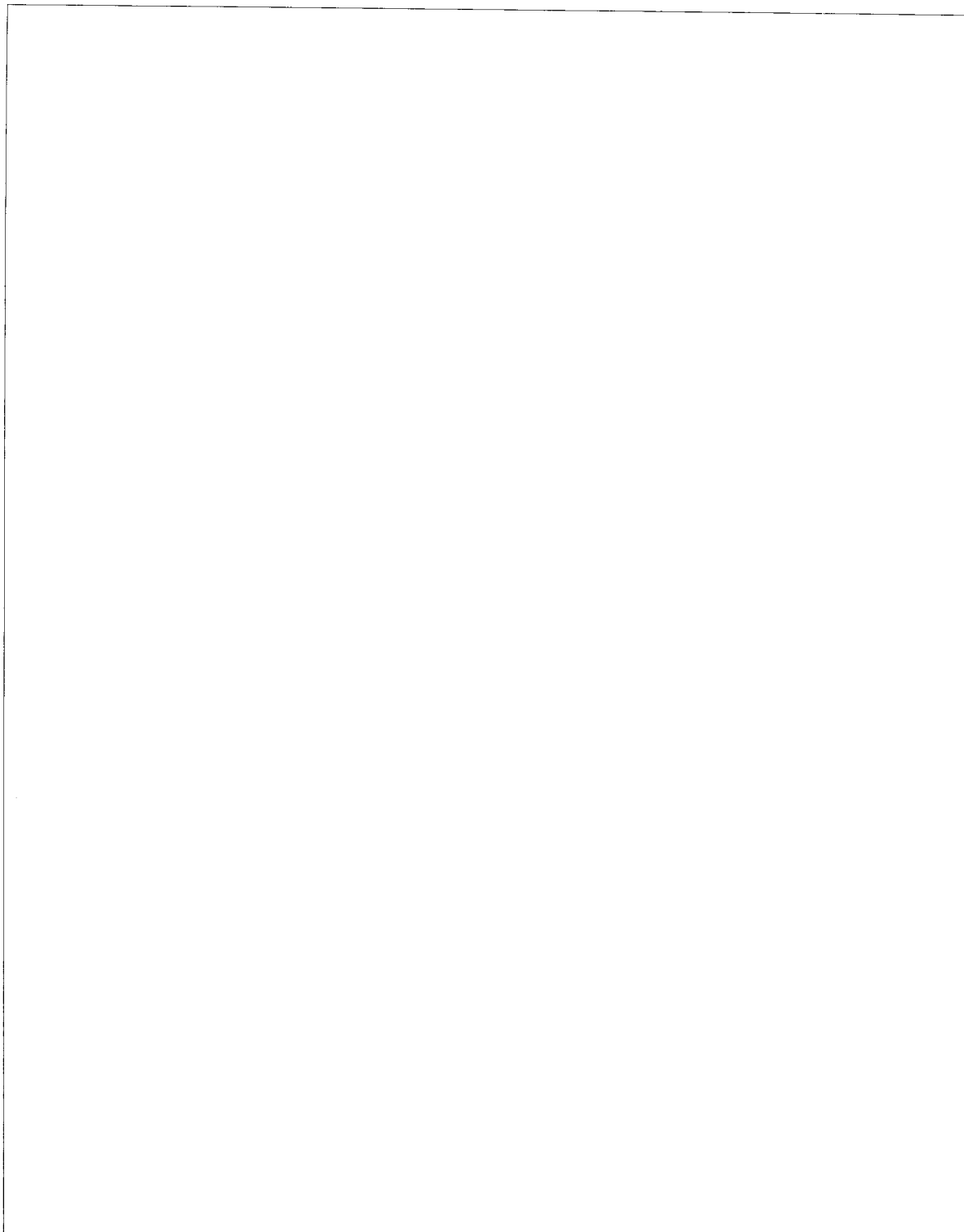
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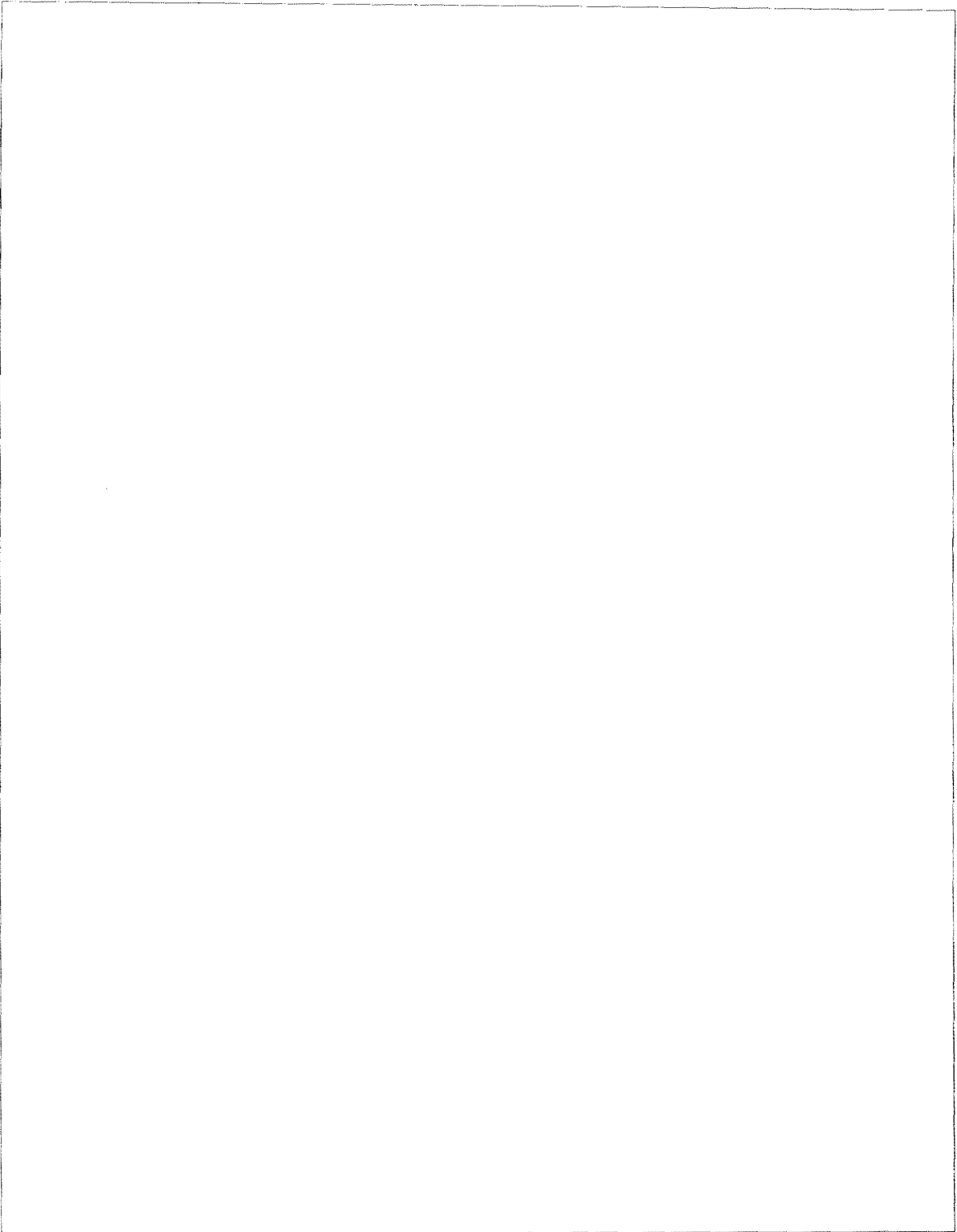


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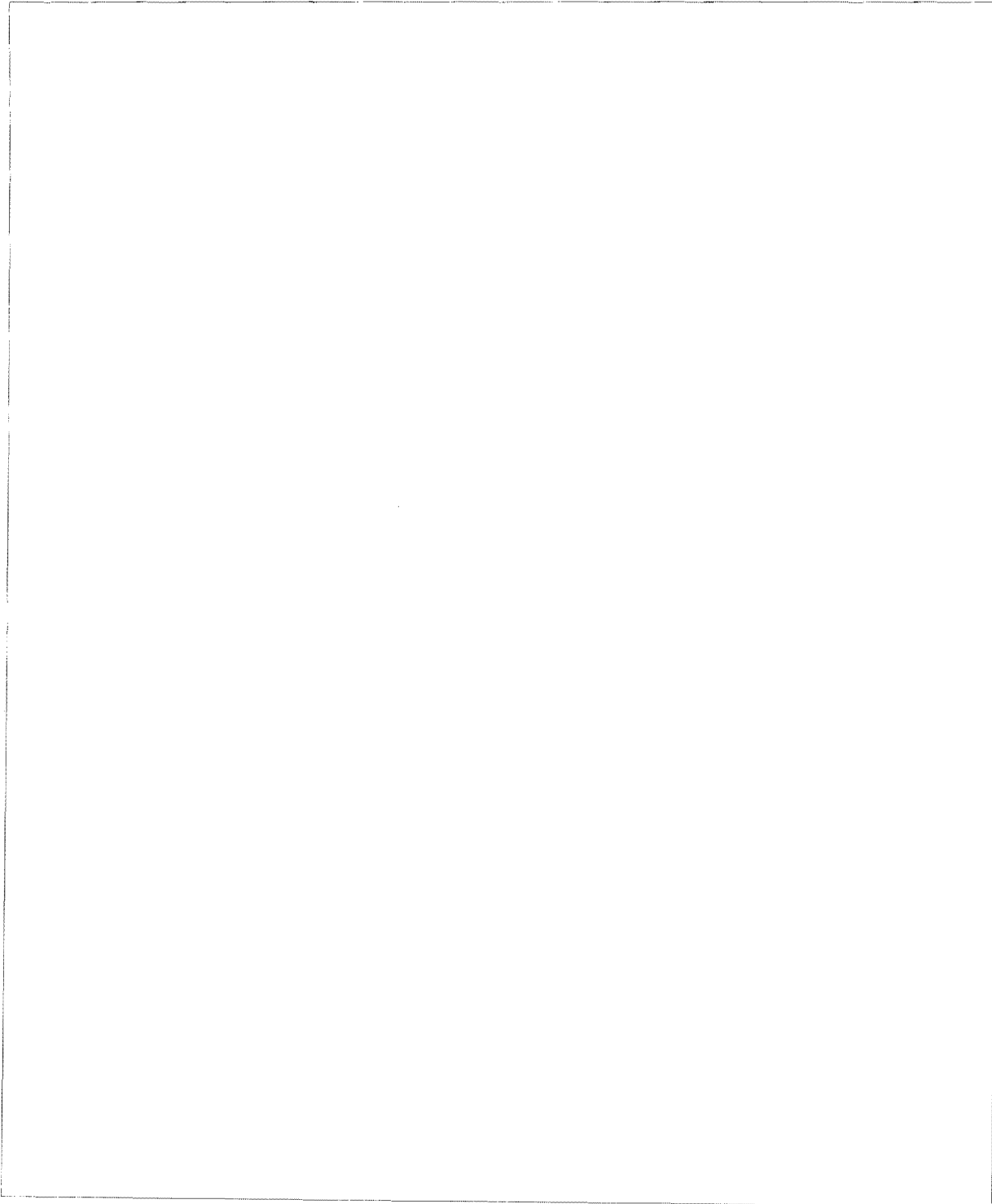
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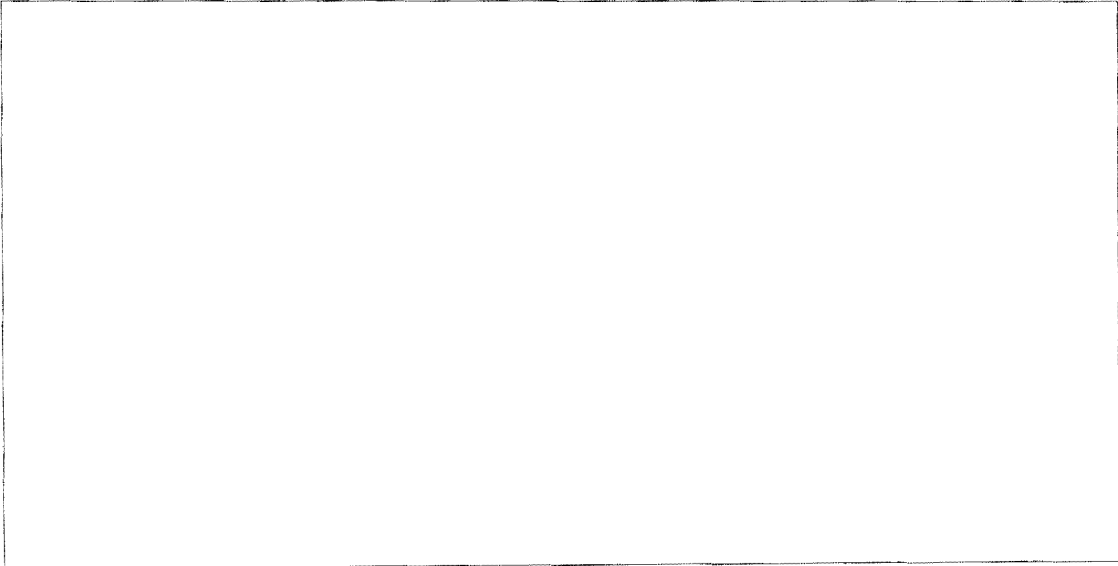
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APPENDIX B

APPENDIX B

Chronology 1951 - 1973

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## APPENDIX B

Chronology 1951 - 1973

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19511952

29 Nov Two young paramilitary officers, John T. Downey and Richard G. Fecteau, disappeared on an overflight of northeast China. Their Civil Air Transport plane was piloted by CAT pilots Robert Snoddy and Norman Schwartz.

18 Dec Downey and Fecteau officially declared Missing in Action.

1953

4 Dec Presumptive finding of death of a missing person made in each case one year after Downey-Fecteau disappeared in accordance with the Missing Persons Act. Their insurance and federal benefits paid to survivors over the period of the next few months.

1954

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23 Nov Two years after their disappearance, Peking announced to the world that Downey and Fecteau were in custody, having been tried, convicted, and sentenced for espionage. Downey received life imprisonment and Fecteau twenty years.

Announced simultaneously was the sentencing of eleven American airmen, the crew of a downed B-29 commanded by Col. John K. Arnold, USAF, who received a 10-year sentence, the crew receiving lesser sentences.

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1955 5 Jan Secretary General Hammarskjold met for 13 hours with Chou En-lai in Peking -- 90 percent of the time, according to the UN, spent on the military prisoner issue.

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~~SECRET~~1955 (cont.)

7 Jul Ad hoc committee revitalized under Chief/FE to focus on evacuation plan in case Downey and Fecteau were released. Chaired by William Nelson, Chief [redacted] the committee was composed of representatives of OS, OP, FI, PP, and TSS.

(b)(3)

4 Aug The Chinese Communists released the eleven US airmen, the so-called Arnold Group. No mention made of Downey and Fecteau. Airmen brought out first direct word on the two CIA men.

11 Sep The Agreed Announcement of the Ambassadors of the United States of America and the People's Republic of China was issued at Warsaw. It set up the requirement that each country take appropriate measures so that American and Chinese nationals desiring to return to their respective countries could exercise their right to do so.

1956 9 Jan

[redacted]

(b)(3)

28 Apr DCI approved code of conduct for Agency employees subject to capture by an enemy.

17 Sep [redacted] Pay and Allowances for Missing Persons replaced [redacted] of the Confidential Funds Regulations.

(b)(3)

(b)(3)

1957 29 Jan State Department Release: The Facts Concerning the Chinese Communists Failure to Release Imprisoned Americans in Violation of the 10 September 1955 Agreed Announcement of the Ambassadors of the United States of America and the People's Republic of China.

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~~SECRET~~1957 (cont.)

- Aug Mrs. Downey met with President Eisenhower, the first of four Presidents with whom she was to plead for measures to obtain her son's release.
- 19 Aug Memo, Chief/FE to DDP, subject: Scope and Duties of Committee on Americans held in Prison in Communist China. This memo placed overall responsibility for the prisoners with the committee, expanding its previous task of evacuation planning.
- 24 Oct Memo, Chief/FE to DCI, subject: Actions taken, CIA Connected Americans in Chinese Communist Jails. [redacted] (b)(1)  
[redacted] (b)(3)
- 19 Dec Memo, Chief/FE to D/Pers, subject: Promotions for Personnel Imprisoned in Communist China. Downey from GS-7 to GS-11/4, Fecteau from GS-7 to GS-11/3, [redacted] (b)(1)  
[redacted] (b)(3)
- 1958 Jan First visit to prisoners in China made by [redacted] (b)(1)  
[redacted] Mrs. Downey, Mrs. Fecteau [redacted] (b)(3)  
[redacted] accompanied by John Downey's brother, William. DCI had previously (19 Dec 1957) approved the payment of travel funds for the visit in the amount of \$14,000, accounting to be made upon return. (b)(1)  
(b)(3)
- 17 Feb Mrs. Downey, William Downey, [redacted] (b)(1)  
[redacted] met with the DCI Allen Dulles prior to a widely publicized meeting [redacted] (b)(3)  
[redacted] with the new Secretary of State, Christian Herter, later that month. (b)(1)  
(b)(3)

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~~SECRET~~1958 (cont.)

22 Sep DCI approved C/FE recommendation transferring primary responsibility for CIA prisoners in Communist China to the Director of Personnel. D/Pers designated Ben DeFelice, Chief, Casualty Affairs Branch, as his representative on prisoner affairs with DeFelice to chair the ad hoc committee

(b)(1)  
(b)(3)

1959 13 -  
19 Jul

Visit of William Downey who had moved to Hong Kong to devote his full time to obtaining release of his brother. The visit triggered, through British attorney George E. S. Stevenson and a Communist intermediary named Percy Chen, a plea for clemency citing the 10th Anniversary of the founding of the People's Republic of China.

(b)(1)  
(b)(3)

23 Sep

[redacted] Mrs. Downey,  
[redacted] Mrs. Fecteau, [redacted]  
[redacted] met with  
Secretary of State Herter on prisoner release.

(b)(1)  
(b)(3)

(b)(1)  
(b)(3)

29 Sep

UPI release quoted Communist diplomatic sources as stating prisoners might be released on 1 Oct, supposedly at Khrushchev's suggestion, coincident with 10th Anniversary of founding of People's Republic of China.

Also in Sep the prisoner issue was included on the agenda for President Eisenhower's meeting with Premier Khrushchev at Camp David.

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~~SECRET~~1959 (cont.)

- 1 Oct Petition for the release of John Downey based on general amnesty being given to Chinese prisoners in connection with the 10th Anniversary celebration was forwarded to the Supreme Court of the PRC by Stevenson, Chen having dropped out of the picture.
- 20 Nov Memo, John L. Bischoff (DeFelice's superior) to D/Pers, subject: Agency Action on Release of CIA Prisoners in China.

1960

- 1 May U-2 piloted by Francis Gary Powers missing on an overflight of the Soviet Union somewhere between Peshawar in Pakistan where the flight originated and Bodo in Norway where it was supposed to terminate. US releases news item on missing weather plane.
- 7 May Khrushchev announced that the Soviets held both pilot and plane after shootdown deep in the Soviet Union.
- 17 May Summit meeting in Paris suspended, President Eisenhower's visit to USSR cancelled, and he returned to the United States.
- Aug Mrs. Downey and William Downey visited John Downey in Peking prison.
- 17 Aug Moscow trial of Francis Gary Powers began with his family in attendance. Powers sentenced to 10 years imprisonment for espionage.
- 15 Sep David L. Christ, GS-15, C/Audio Support Branch, TSD; Thornton J. Anderson, GS-14, C/Section III, Engineering Br, TSD; Walter E. Szuminski, GS-9, Audio Support Specialist, [redacted] arrested by Castro G-2 in Havana.

(b)(1)  
(b)(3)~~SECRET~~

~~SECRET~~1960 (cont.)

26 Oct Memo, [redacted], to D/Pers, (b)(3)  
 subject: Investment of Pay and Allowances  
 of Missing Personnel. This memo authorized  
 C/Monetary Branch, OF, as directed by D/Pers  
 to withdraw money from prisoner accounts  
 for the purchase of Series E Bonds.  
 Later savings accounts were authorized and,  
 eventually, in Dec 1964 investment in

[redacted]

(b)(1)  
(b)(3)

17 Dec Cuban Military Court sentenced the three  
 TSD "Techs" to 10 years in prison on  
 charges of crimes against the stability  
 of the state, specifically the setting  
 of wire taps [redacted]

(b)(1)  
(b)(3)

1961 3 Jan The United States broke off diplomatic  
 relations with the Cuban Government after  
 the Castro Government demanded that the  
 US Embassy be reduced to eleven persons.

28 Mar Mrs. Christ met with the DCI, Allen Dulles.

[redacted]

(b)(1)  
(b)(3)

17 -

19 Apr Bay of Pigs invasion and failure.

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~~SECRET~~1961 (cont.)(b)(1)  
(b)(3)

16 Aug Mrs. Christ met with Gen. Maxwell Taylor for the Attorney General, Robert Kennedy. Background papers prepared by the DDCI for Vice President Johnson and MacGeorge Bundy.

1962 10 Feb Francis Gary Powers exchanged for KGB Col. Abel on Glienicke Bridge between East and West Berlin. Deal arranged at high levels in the two governments with New York attorney and OSS alumnus James Donovan as intermediary. A Board of Inquiry under Federal Judge E. Barrett Prettyman exonerated Powers in Mar 1962. His pay and allowances were released.

4 Mar Mrs. Mary Downey met with the new DCI, John McCone, to ask for measures to be taken to gain her son's release.

1 Apr Downey, Fecteau promoted to GS-12

(b)(1)  
(b)(3)

3 Apr At the 109th meeting in Warsaw, US Ambassador John M. Cabot again raised question of conformance to 1955 Agreed Announcement permitting civilians to return to their respective countries. Ambassador Cabot's claim that early release of such persons would reduce international tensions rejected by PRC Ambassador Wang Ping-nan.

(b)(1)  
(b)(3)

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~~SECRET~~1962 (cont.)

28 Apr Supplemental (to 1959) petition by way of appeal for John Downey submitted to Peking, [redacted] Barrister at Law, Hong Kong, on instruction of G. E. S. Stevenson. (b)(3)

16 May Mrs. Mary Downey visited her son John in Peking, making the journey alone. The visit was preceded by a visit of Mrs. Downey to the Attorney General Robert Kennedy, which was the occasion of a review of the prisoner issue. [redacted]

(b)(3)

18 Jun Report of Audit of Pay and Allowances of Missing Persons to 30 Nov 1961. This 10-year audit showed the accounts to be in good shape except for minor discrepancies which were corrected. The graduated retroactive in-step and grade promotions had been accurately posted.

(b)(1)

(b)(3)

16 Oct State Department telegram for US Embassy, Stockholm, referenced possible ChiCom willingness to release Americans as tribute to Dag Hammarskjold as proposed by Dr. Uno Willers, Librarian of the Royal Library, Stockholm, a friend of Dag's. This lead was pursued through Apr 1963 but again without success.

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~~SECRET~~1962 (cont.)

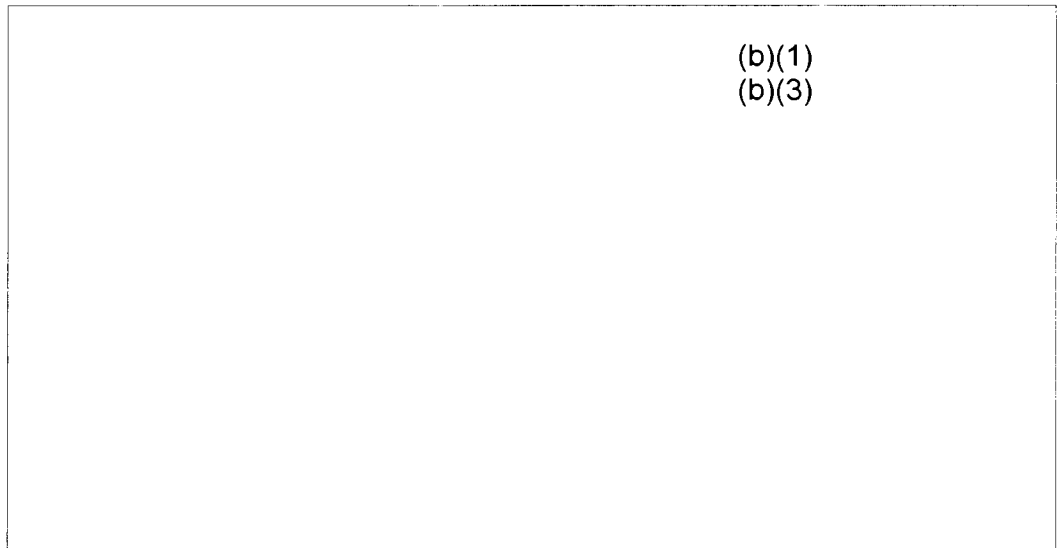
- 22 -  
28 Oct Cuban missile crisis.
- 6 Dec Mrs. Christ met with Attorney General Robert Kennedy concerning husband's release.
- 23 Dec Castro began to free Cubans from the Bay of Pigs brigade in exchange for \$50,000,000 of food, medical supplies, and farm equipment, supposedly raised privately. James Donovan, the intermediary, had by then established personal rapport with Fidel Castro; and Attorney General Robert Kennedy was coordinating the effort.

1963

- Jan David L. Christ [redacted] (b)(3)  
Thornton J. Anderson [redacted] Walter  
E. Szuminski [redacted]
- 22 Apr Castro released Christ, Anderson, and Szuminski. The latter two returned to full duty status on 2 Sep and are still\* employed by the Agency; Christ returned on 9 September and retired from the Agency in 1968.

(b)(1)

(b)(3)

1964

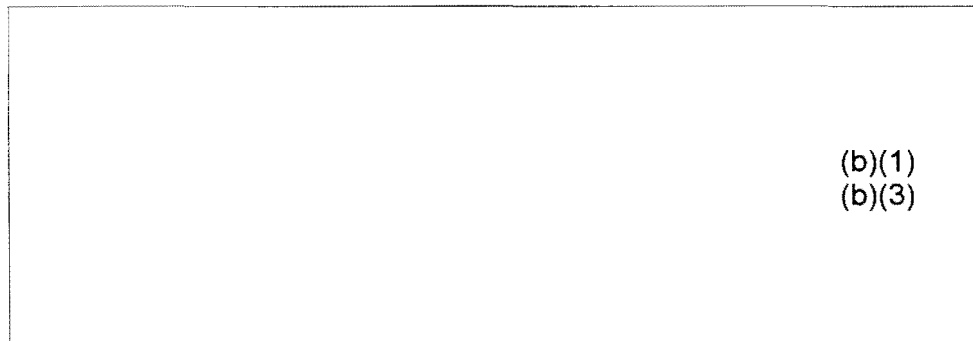
\* Nov 1973

- 257 -

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~~SECRET~~1964 (cont.)

- Nov Mrs. Mary Downey and son, William, visited John Downey in Peking.
- 7 Dec At the 123rd meeting of the Ambassadorial-level talks in Warsaw, US Ambassador Cabot said to his Chinese opposite number, Ambassador Wang: "We have yet to secure the release of the four Americans who you hold, in our opinion, contrary to the Agreed Announcement. In this connection, I do wish, however, to express our appreciation for the permission which you gave Mrs. Downey and William Downey to visit John Downey. We have noted newspaper reports to the effect that Chinese Red Cross officials have reminded Mrs. Downey of the Chinese People's Republic general policy of leniency and early release for good behavior. We hope that this means that Downey and [redacted] other Americans will be released soon." (b)(1)  
(b)(3)  
(No reply was received from Ambassador Wang on the prisoner issue.)

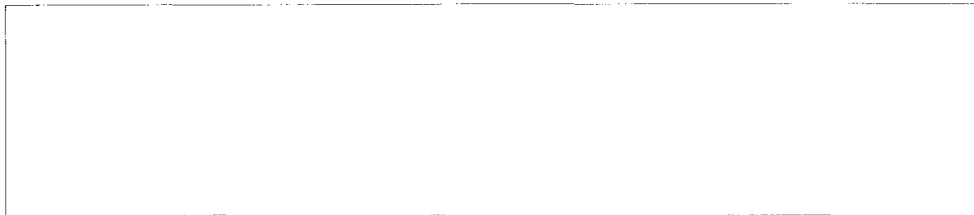
1965(b)(1)  
(b)(3)

- Apr Francis Gary Powers received the Intelligence Star.
- 3 Oct Article in the *Boston Globe* on Richard Fecteau described how he spent his time with "7 years to go."

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1966 . 1 Feb Prisoners sponsored for participation in the CIA Retirement and Disability System (CIARDS) by D/Pers.



(b)(1)  
(b)(3)

1967



(b)(1)  
(b)(3)

Aug Downey and Fecteau promoted GS-13.

1968

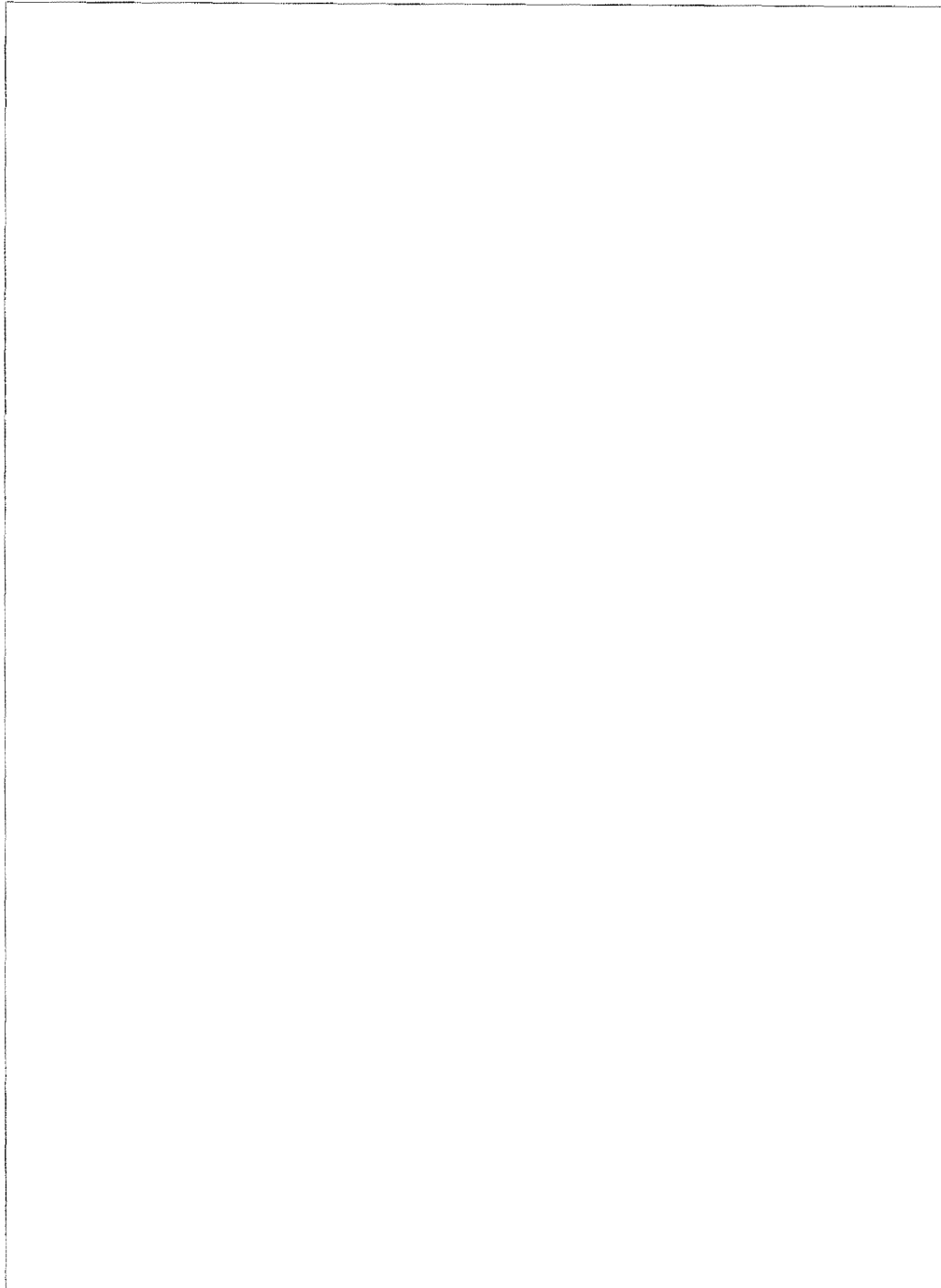


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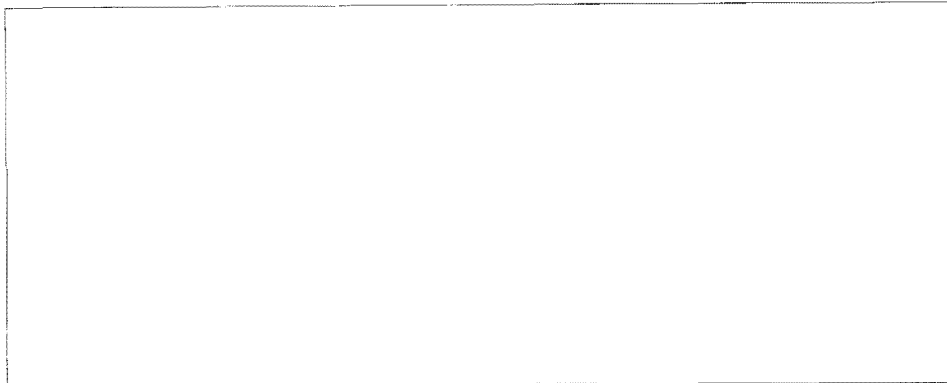
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1968 (cont.)

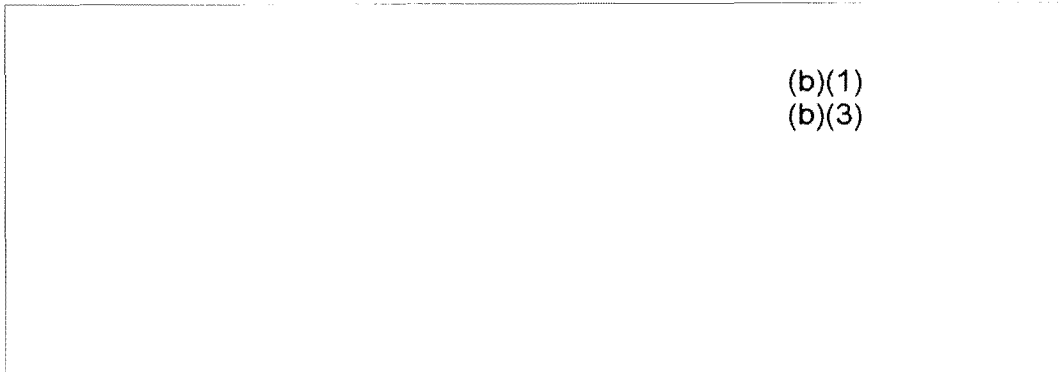


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~~SECRET~~1968 (cont.)(b)(1)  
(b)(3)

15 Nov Letter received from Chinese Communist Government replying specifically to the June letter from the State Department stating that, "the Chinese Government does not see any need at present to give the US Government information about the convicted American criminals who are serving prison terms in China."

(b)(1)  
(b)(3)

1969 21 Feb The new US Ambassador to the Warsaw talks, Walter J. Stoessel, took ChiComs to task on the prisoner issue in a strongly worded letter to the Chinese charge.

1970(b)(1)  
(b)(3)

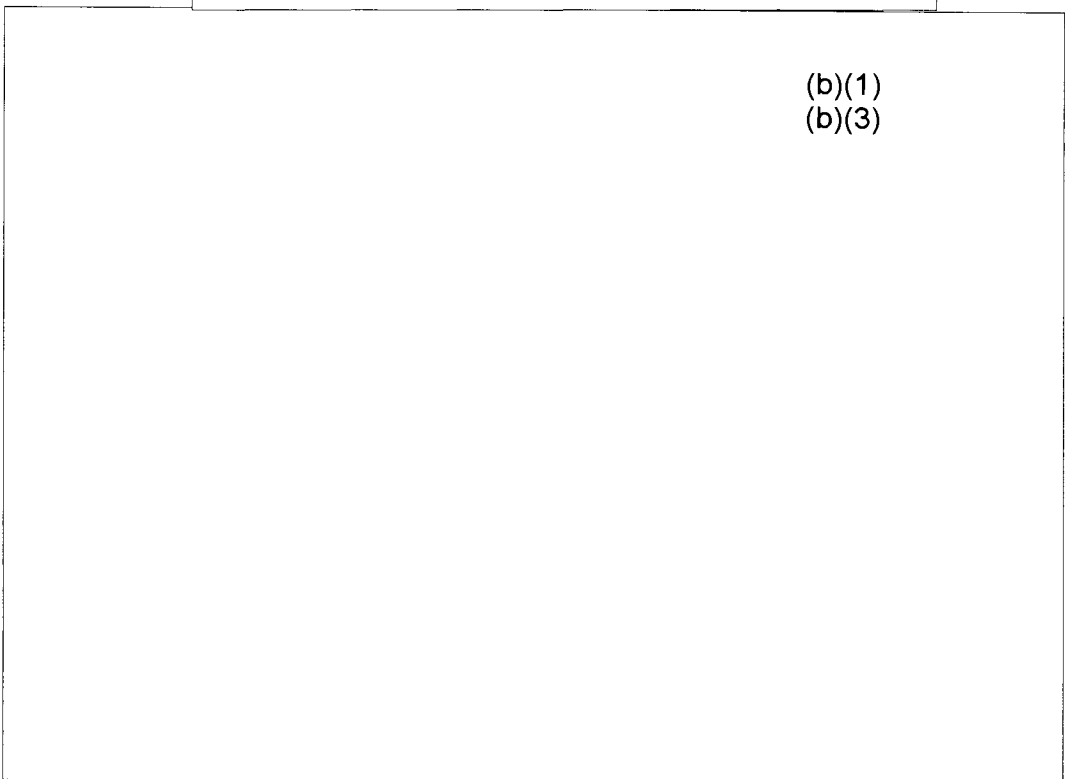
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(b)(1)  
(b)(3)

1970 (cont.)



(b)(1)  
(b)(3)

1971

Jun Dr. Jerome Cohen, Jack Downey's Yale classmate, Harvard Law School professor, and acknowledged authority on Chinese criminal law appeared before the Fulbright (Senate Foreign Relations) Committee testifying at some length on his thesis that the USG was at fault on the Downey-Fecteau case. Cohen believed that if the USG would acknowledge culpability and apologize, the two men would be freed. The Yale Class of 1951 made the theme of its 20th reunion "Free John Downey."

9 -

11 Jul Dr. Henry Kissinger made his secret visit to Peking as President Nixon's emissary to Chou En-lai.

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1971 (cont.)

2 -

16 Nov Mrs. Mary Downey, accompanied by Mr. and Mrs. William Downey, visited John Downey in Peking. They also had brief visit with Richard Fecteau.

[Redacted]

(b)(1)  
(b)(3)

13 Dec Richard G. Fecteau was released and returned to the United States, having served 19 years of a 20-year sentence. Extensive coverage in the US press. Fecteau was flown directly to the Valley Forge Military Hospital in Pennsylvania. His MIA status was officially ended on 17 Dec 1971.

Dec Downey and Fecteau promoted to GS-14 as recommended by D/Pers with concurrence of the DDP, the CS Personnel Management Committee, and the Chief/FE.

1972

[Redacted]

(b)(3)

14 Jan-

16 Feb Fecteau [Redacted]

(b)(3)

Feb President Nixon's "Journey for Peace" to Peking.

[Redacted]

(b)(1)  
(b)(3)

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- 1973
- 1 Feb President Nixon at a news conference publicly identified the only civilian American known to be in a Chinese prison -- Jack Downey -- as an agent of the Central Intelligence Agency.
- 7 Mar Notification received by the Agency from William Downey of Mrs. Downey's stroke. Her condition considered serious with very slim chance of survival.
- 12 Mar Following personal intervention by President Nixon, John Downey freed after serving 20 years and 4 months of a life sentence. The release was widely publicized in the US press. Downey was flown directly to New Britain. (b)(1)  
(b)(3)
- 15 Mar LCDR Robert J. Flynn (USN) shot down in China on 21 Aug 1967 and Maj. Phillip Smith (USAF) shot down in Sep 1965, both of whom had been imprisoned with Downey and Fecteau in Peking, were released by the Chinese Communists.
- (b)(1)  
(b)(3)
- 20 Mar Downey's MIA status was ended and he was returned to regular employment rolls on
- (b)(1)  
(b)(3)
- 4 -  
20 Apr Downey debriefing.

- 264 -

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1973 (cont.)

17 Jul Memo, D/Pers to Exec/Sec., CIA Management Committee, forwarded the honor awards recommendations of the ad hoc committee. (b)(1)  
(b)(3)

[redacted] Fecteau and Downey were recommended for the Intelligence Star. The committee also recommended that Fecteau be granted an additional award -- the Intelligence Medal of Merit -- for his outstanding performance and personal conduct following his release until the time Downey was released. (b)(1)  
(b)(3)

[redacted] This was the last official act of the ad hoc committee and it was disbanded on 24 Jul 1973.

28 Aug At a meeting of the Agency's Honor and Merit Awards Board attended by the Director, William E. Colby, and by the full membership of the ad hoc committee,\* the following awards were approved by the Director:

[redacted] (b)(1)  
(b)(3)

- John Downey - Distinguished Intelligence Medal
- Richard Fecteau - Distinguished Intelligence Medal

[redacted] (b)(1)  
(b)(3)

In addition, the Intelligence Medal of Merit was approved for Fecteau in recognition of his exemplary conduct following his release and prior to that of Downey.

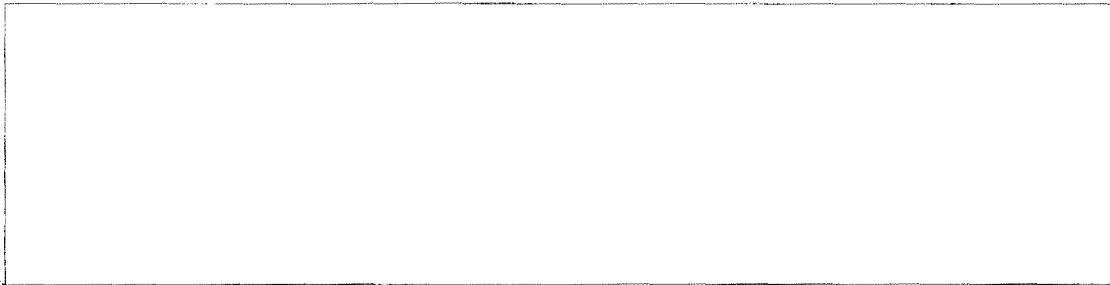
(b)(3)

\* Ben DeFelice, O/Pers, Chairman; [redacted] CI/OPS; (b)(3)  
[redacted] EA; [redacted] EA; and [redacted] (b)(3)  
CCS, members MIA Ad Hoc Committee.

(b)(3)

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APPENDIX C

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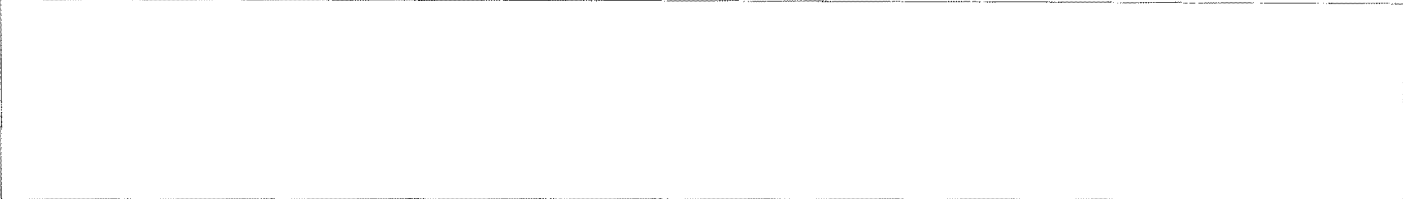
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John T. Downey GS-7, FE	Disappeared 29 Nov 52 China	12 Mar 73 Hong Kong	Aircraft shot down on operational mission. Received life sen- tence.
Richard G. Fecteau GS-7, FE	Disappeared 29 Nov 52 China	12 Dec 71 Hong Kong	Aircraft shot down on operational mission. Received 20 year sen- tence.

(b)(1)  
(b)(3)



(b)(1)  
(b)(3)

Thornton J. Anderson  
GS-14, TSD

Arrested 15 Sep 60  
Havana, Cuba

22 Apr 63  
Cuba



(b)(1)  
(b)(3)

David L. Christ  
GS-15, TSD

Arrested 15 Sep 60  
Havana, Cuba

22 Apr 63  
Cuba

"

Walter E. Szuminski  
GS-9, TSD

"

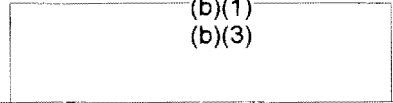
"

"

Robert L. Neet  
GS-11, FE

Arrested 15 Sep 60  
Havana, Cuba

16 Sep 60  
Cuba



(b)(1)  
(b)(3)

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(b)(1)  
(b)(3)

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(b)(1)  
(b)(3)

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269

Francis G. Powers  
DPD

Arrested 1 May 60  
USSR

10 Feb 62  
E. Berlin,  
E. Germany

Awarded Intelligence  
Star Apr 1965. Re-  
signed 15 Oct 62.

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(b)(1)  
(b)(3)



(b)(1)  
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APPENDIX D

Finding of Death of Missing Person  
John T. Downey

APPENDIX D

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CENTRAL INTELLIGENCE AGENCY  
Washington 25, D. C.

FINDING OF DEATH OF MISSING PERSON

Pursuant to the provisions of Section 5 of the Act of 7 March 1942 (Public Law 490, 77th Congress) as amended, upon direction and delegation by the Director of Central Intelligence, I find Mr. John Thomas Downey to be dead. He was officially reported as missing as of the third day of December 1952. For the purposes stated in said Act, death is presumed to have occurred on the fourth day of December 1953.

/s/

[Redacted Signature]

(b)(3)

Date: 4 December 1953

[Redacted Title]

(b)(3)

Acting Personnel Director

-- 0 0 0 0 --

SUMMARY OF INFORMATION

Date of Birth:

[Redacted Birth Date]

Date Entered on Duty:

(b)(6)

3 June 1951

Home Address:

[Redacted Home Address]

(b)(6)

Emergency Addressee:

Name: Mrs. Mary V. Downey

Relationship: Mother

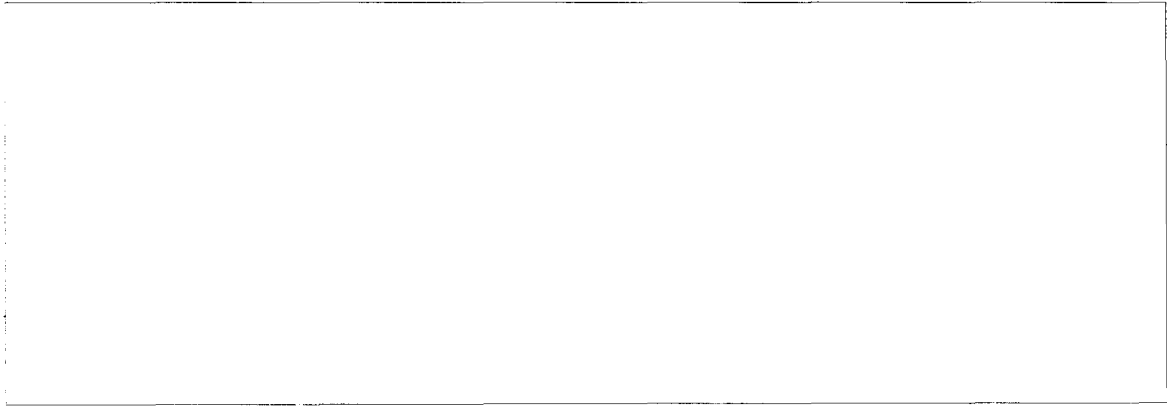
Address:

[Redacted Address]

(b)(6)

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(b)(1)  
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APPENDIX E

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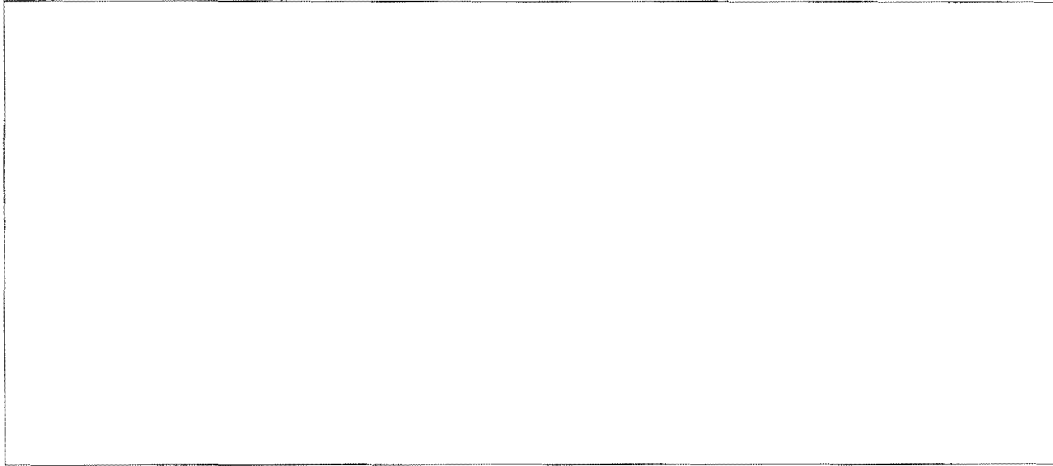
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APPENDIX F

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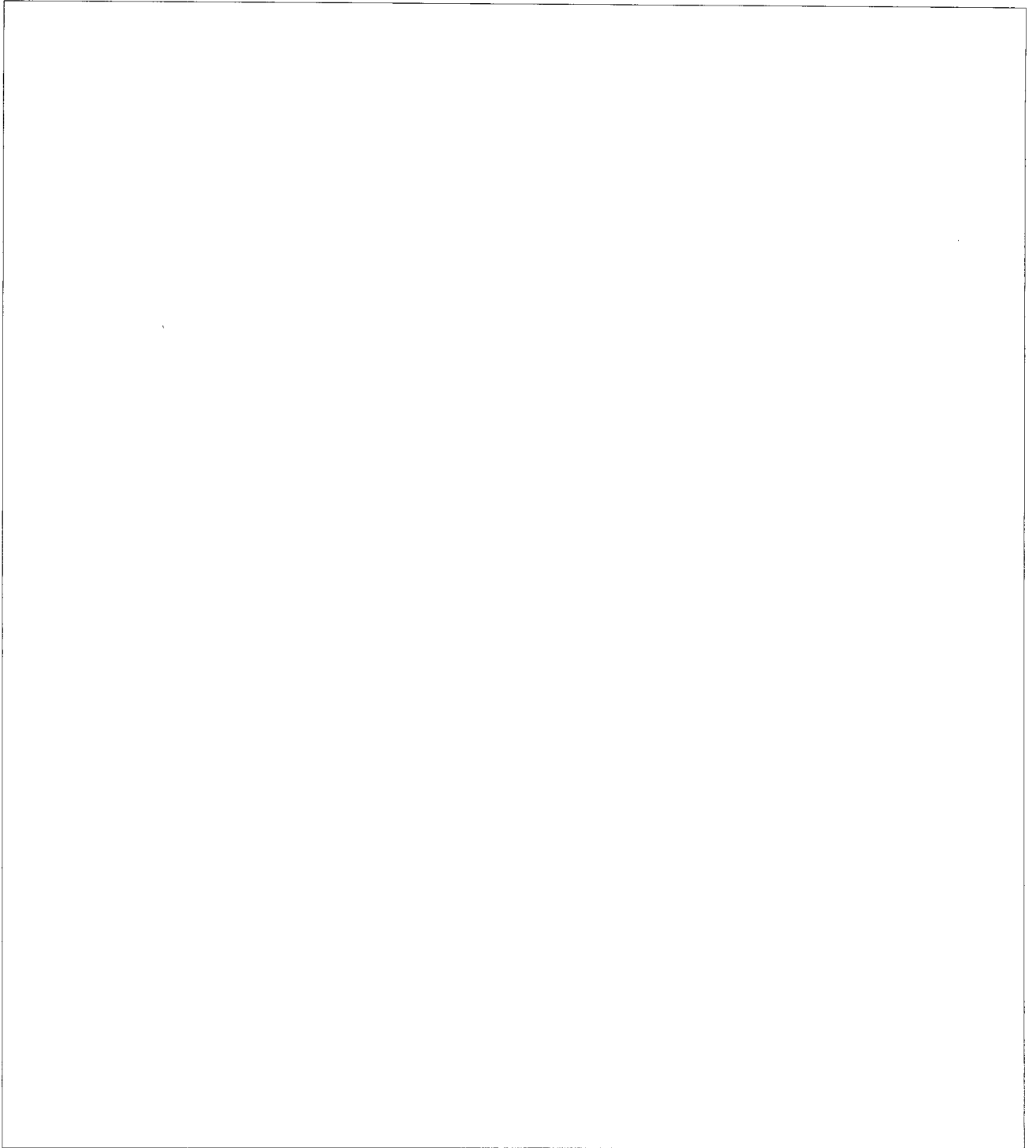


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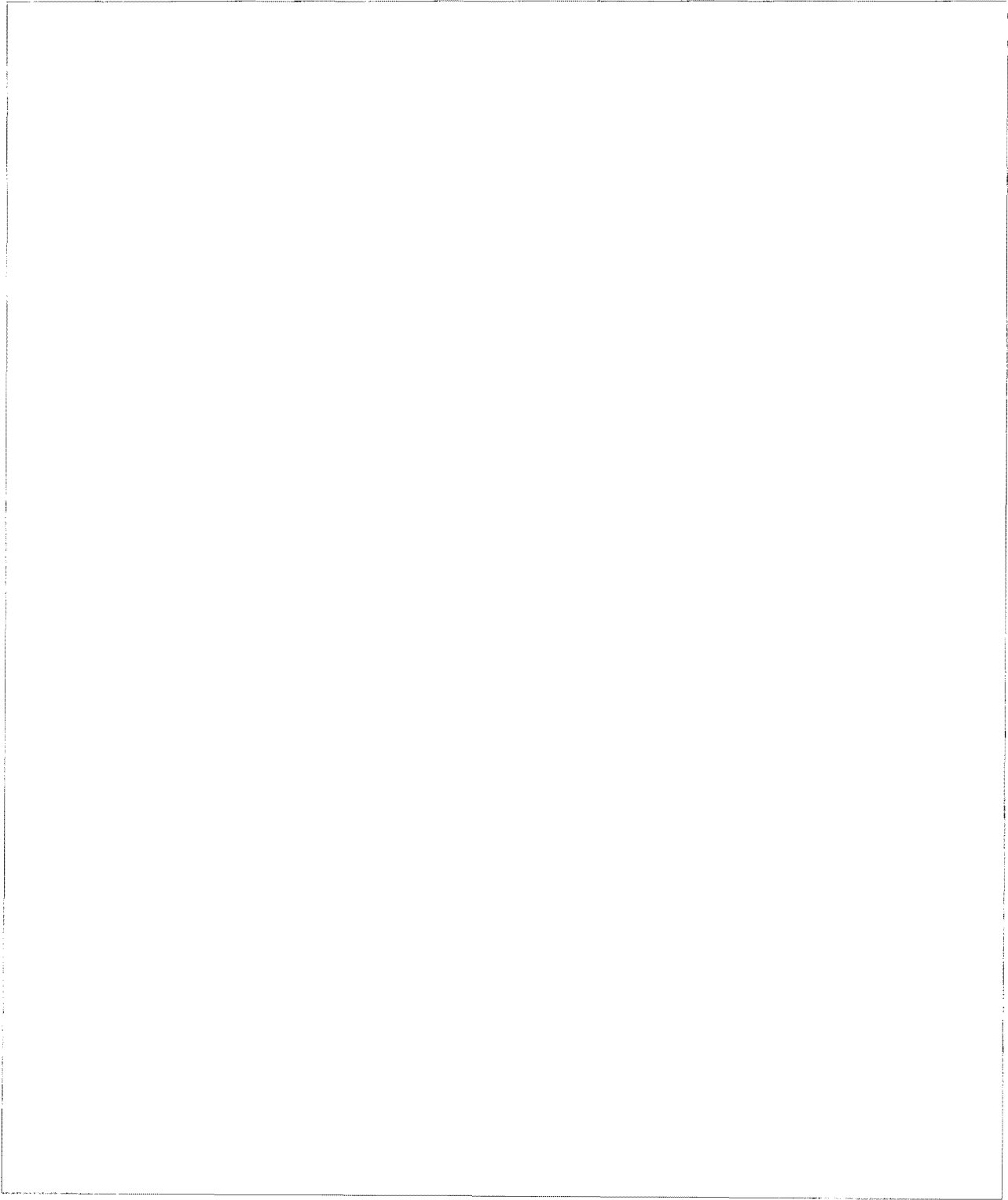


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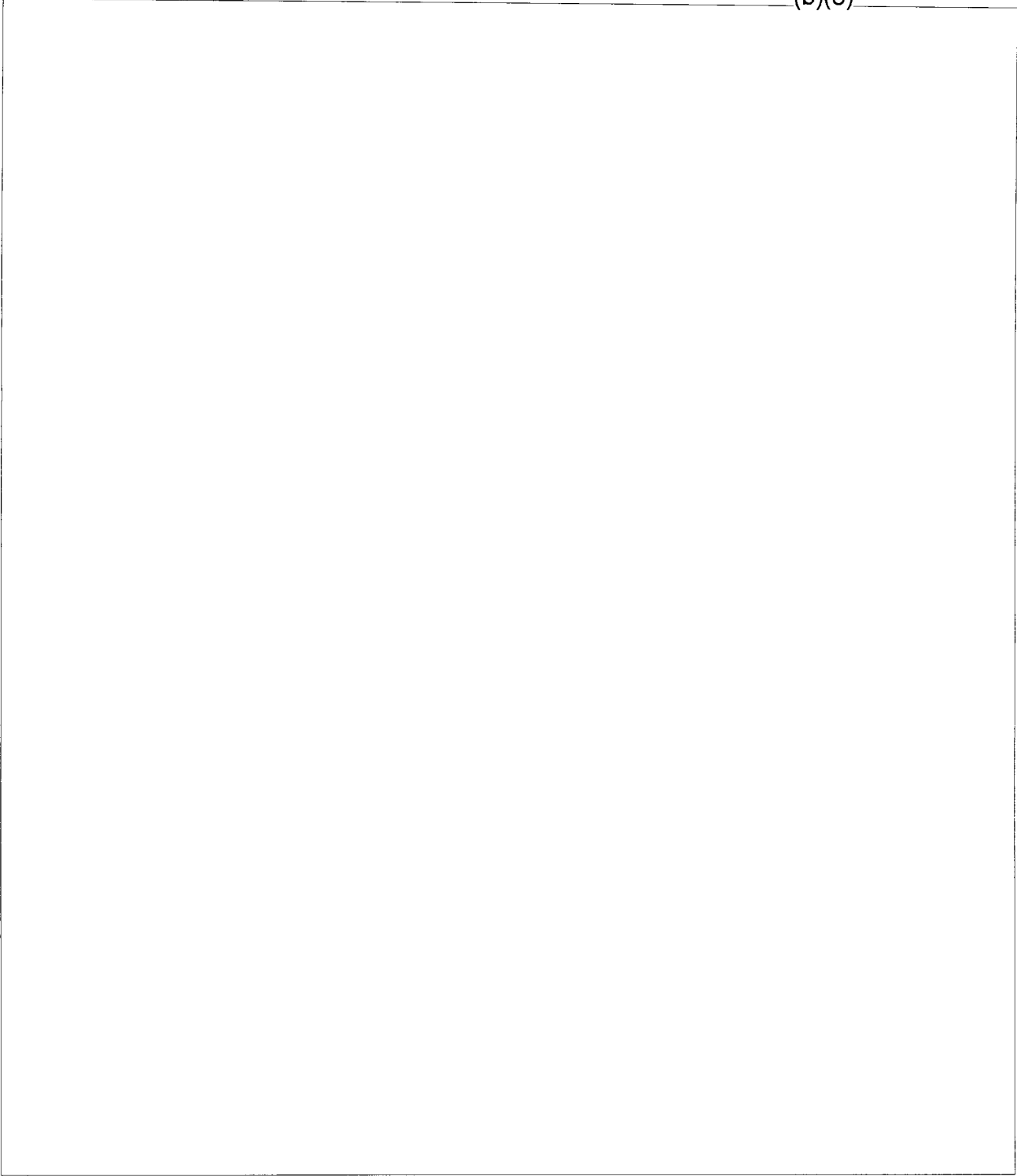
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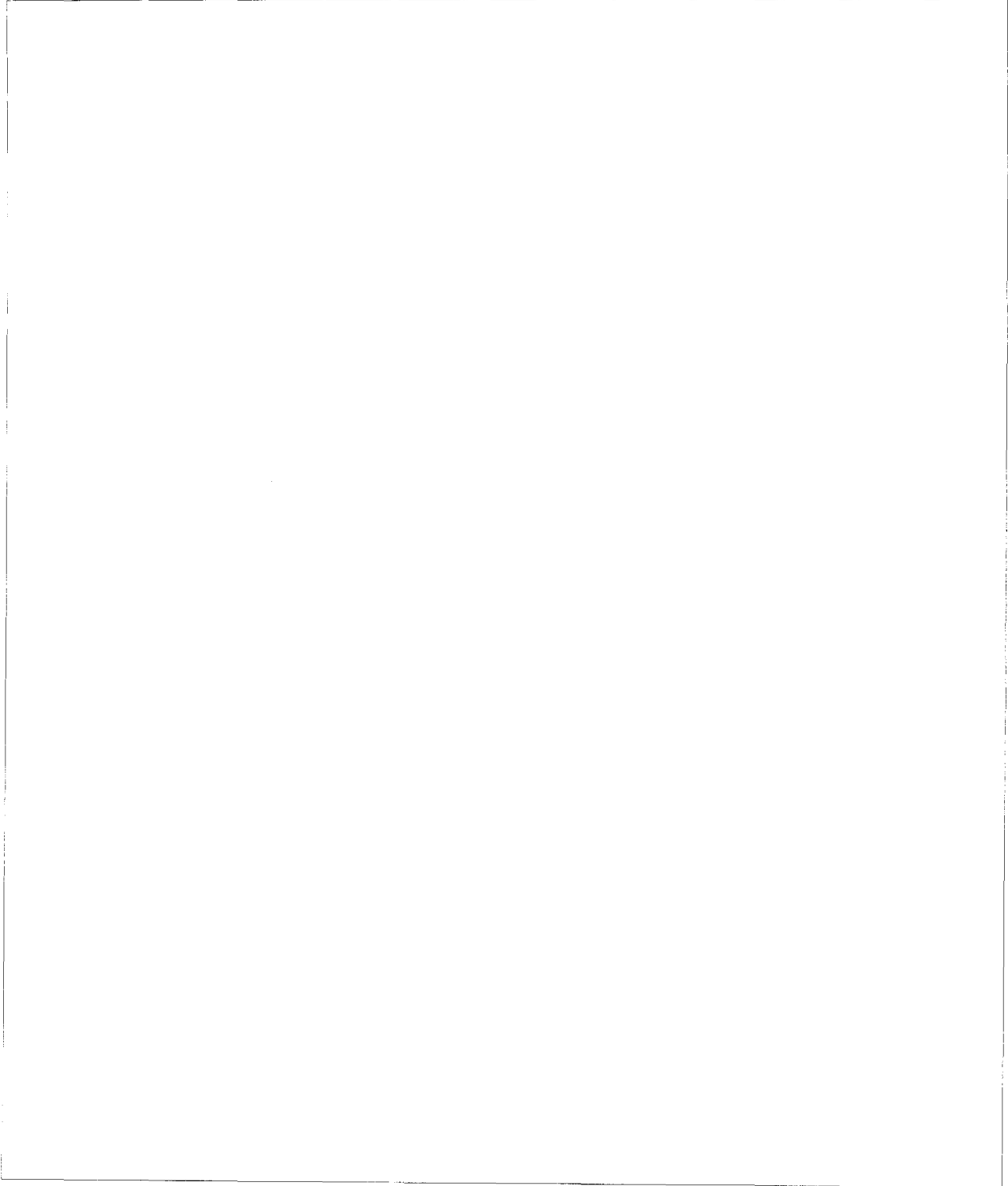
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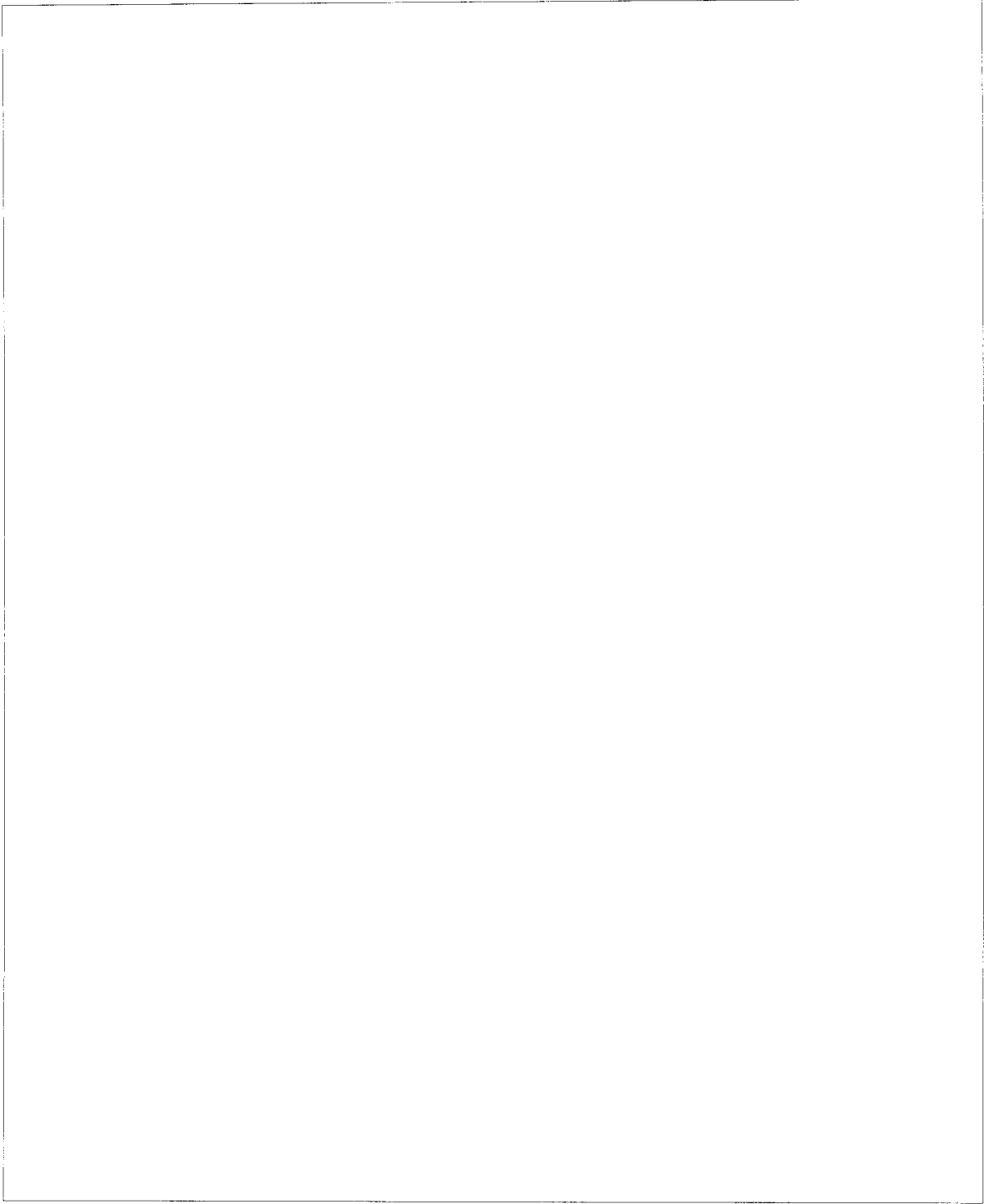
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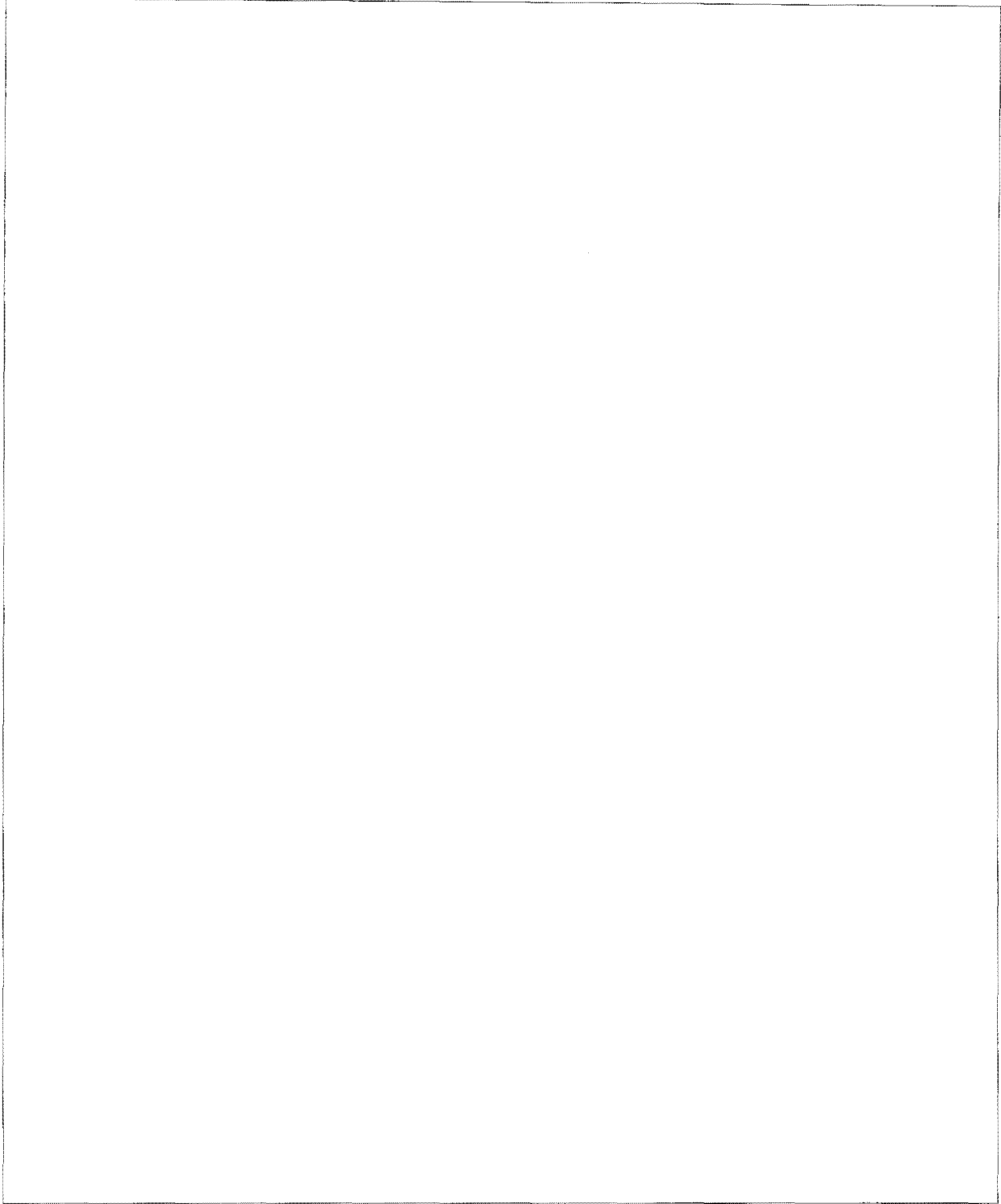
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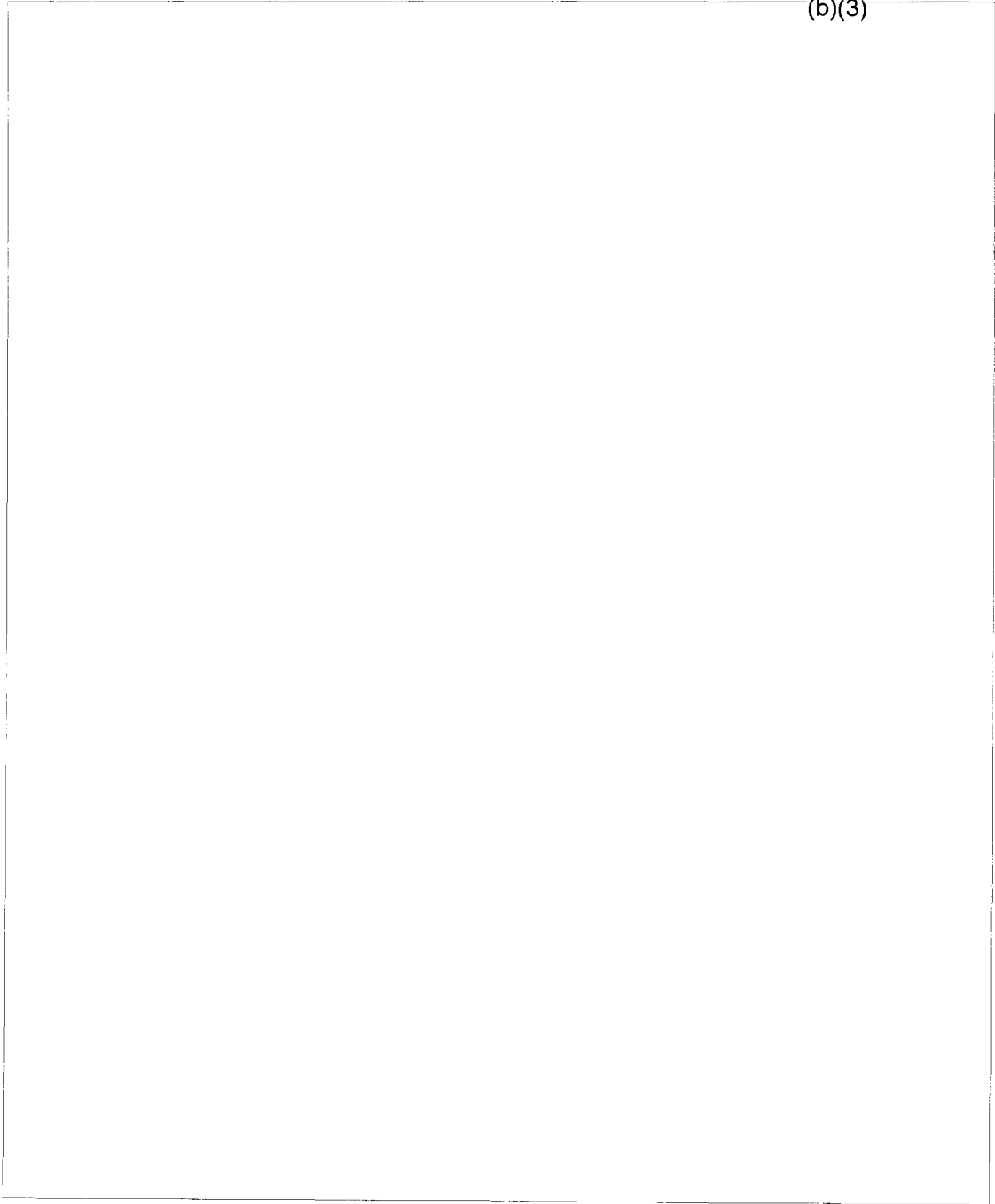
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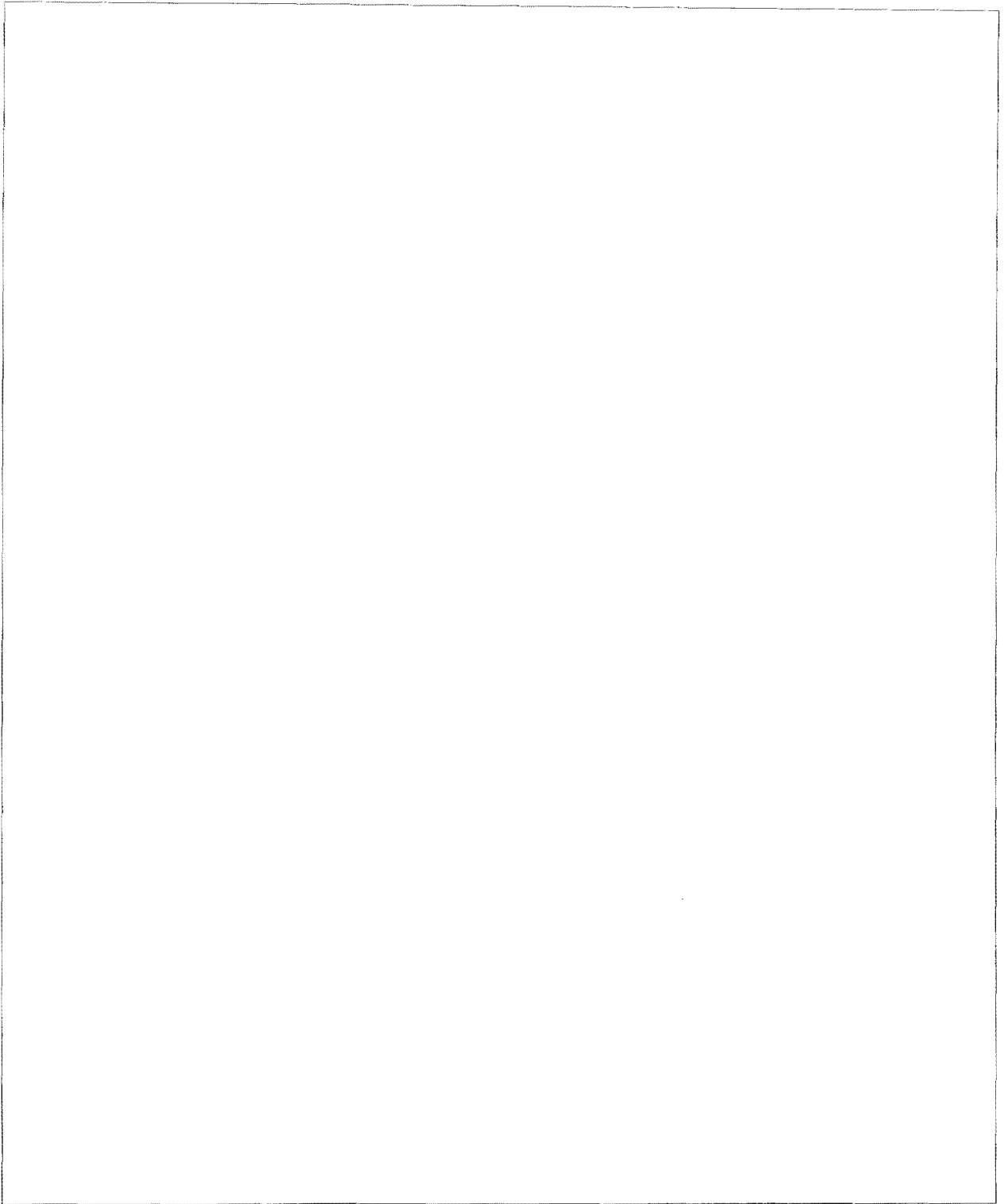
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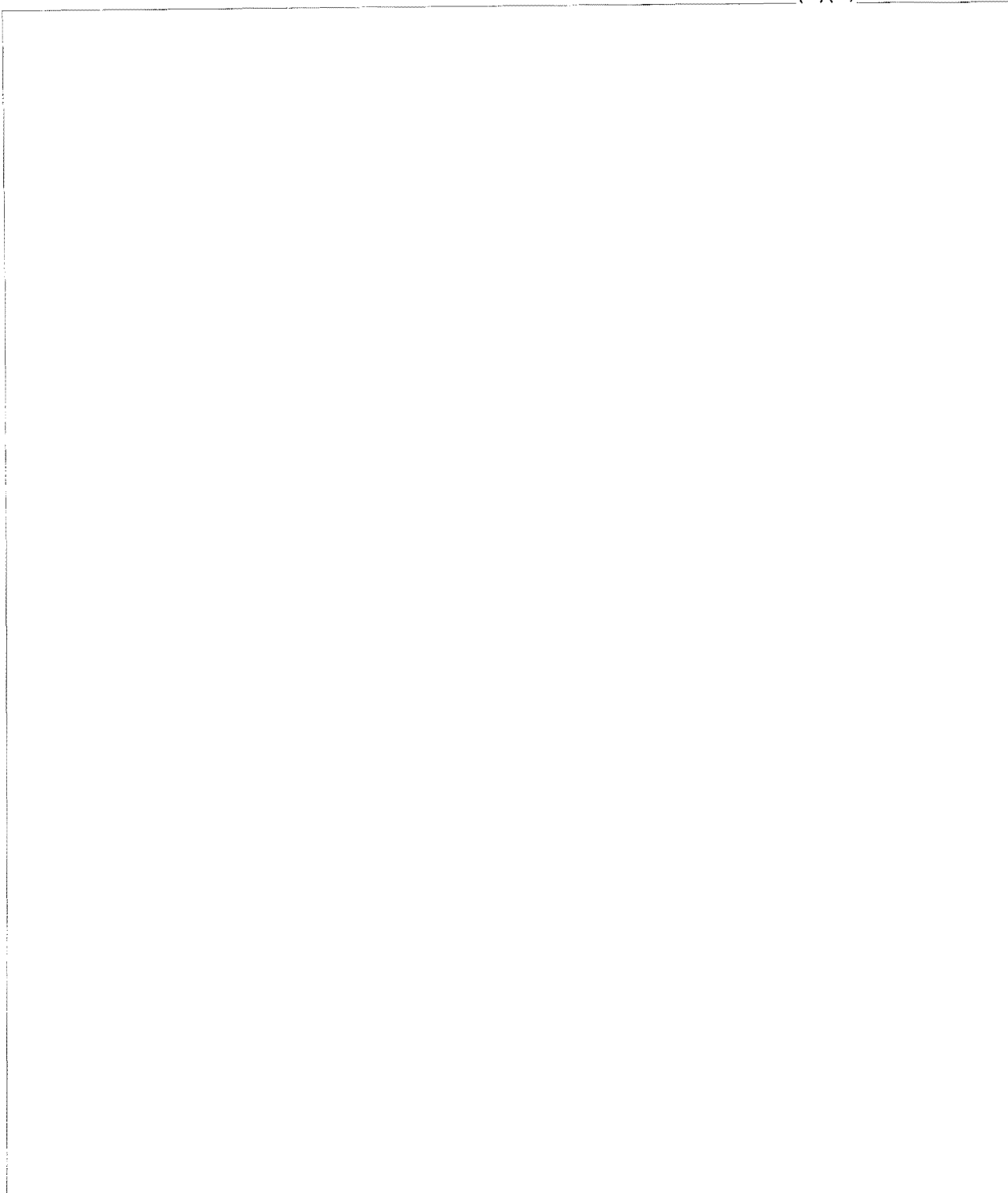


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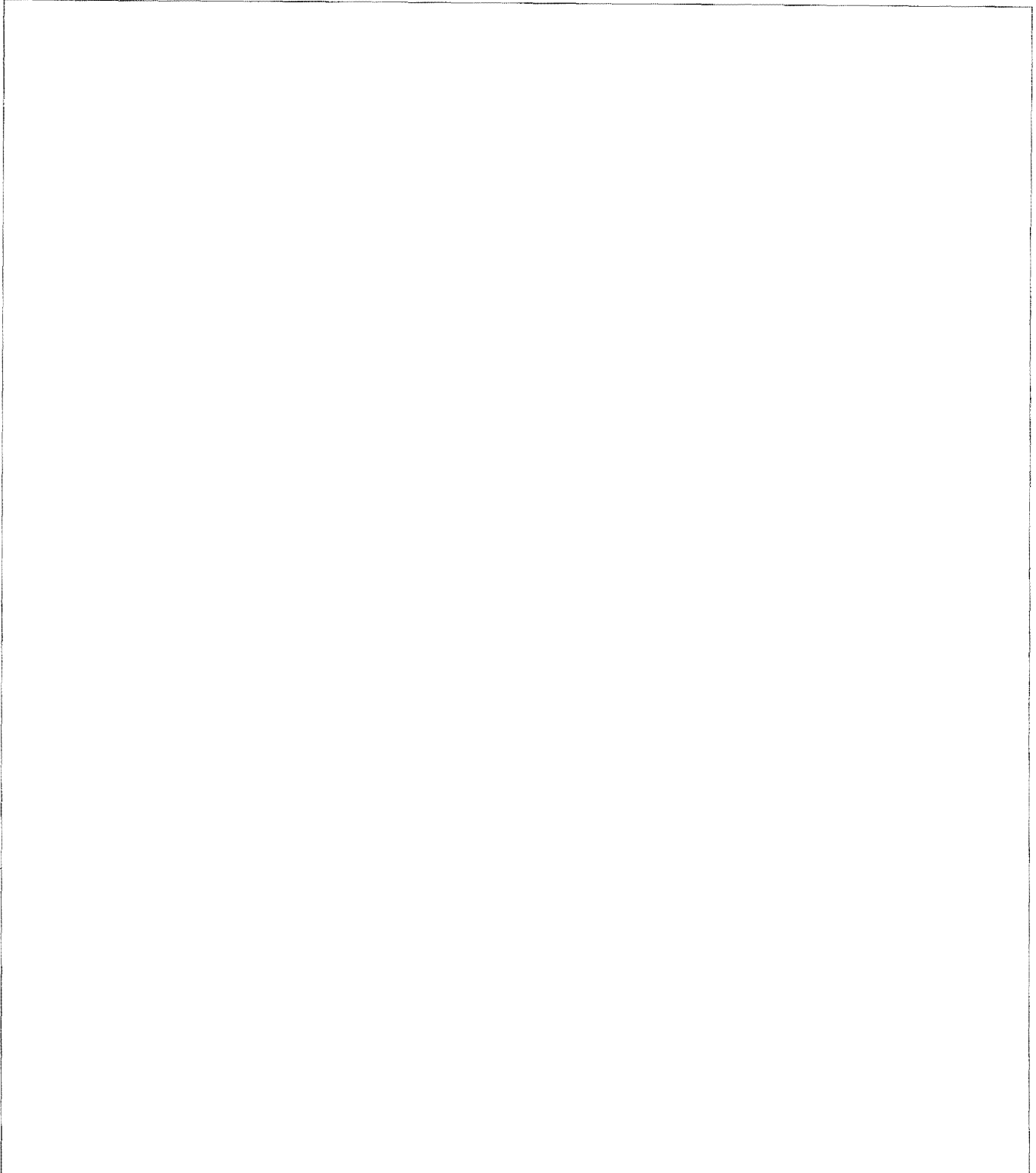
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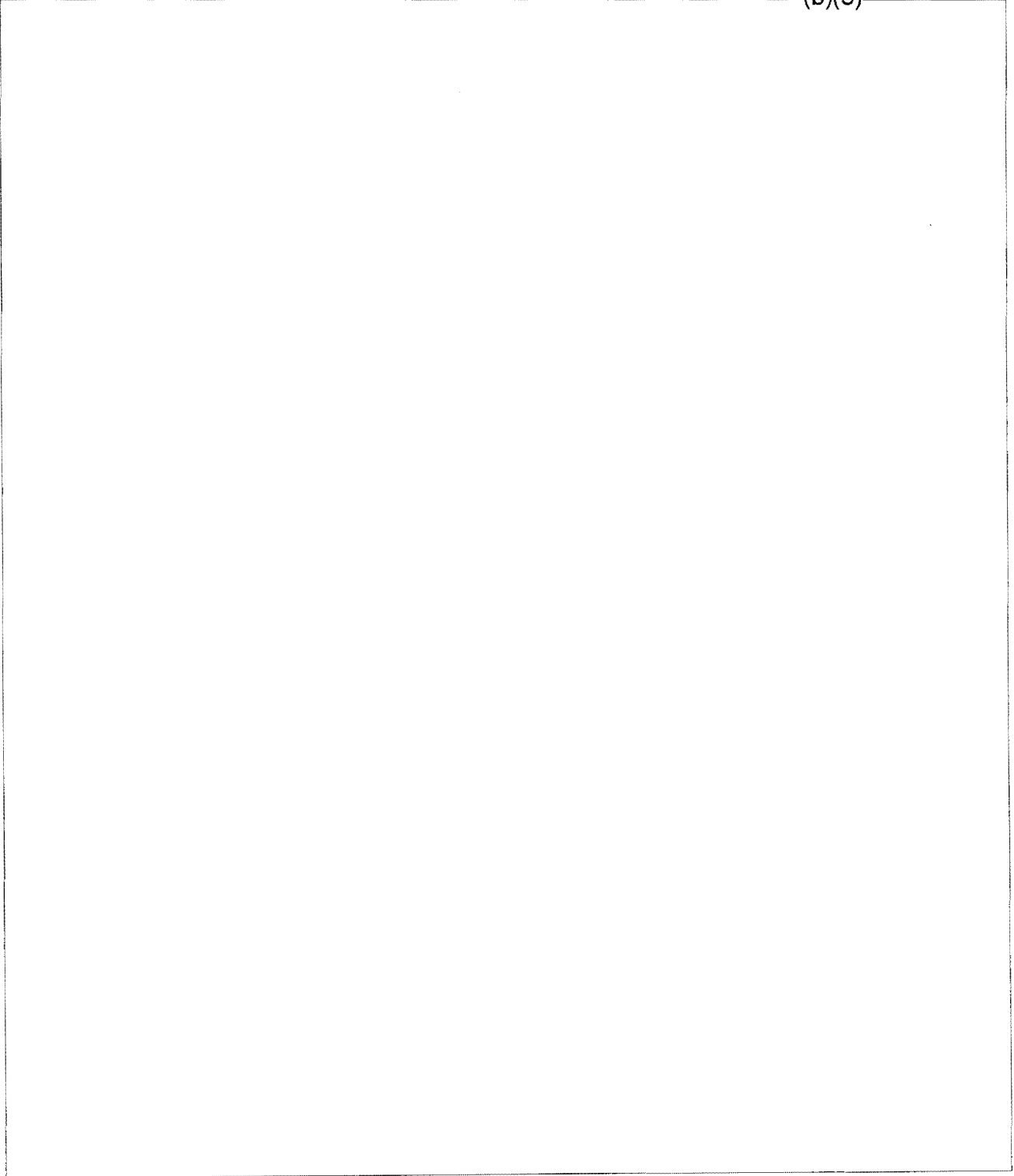
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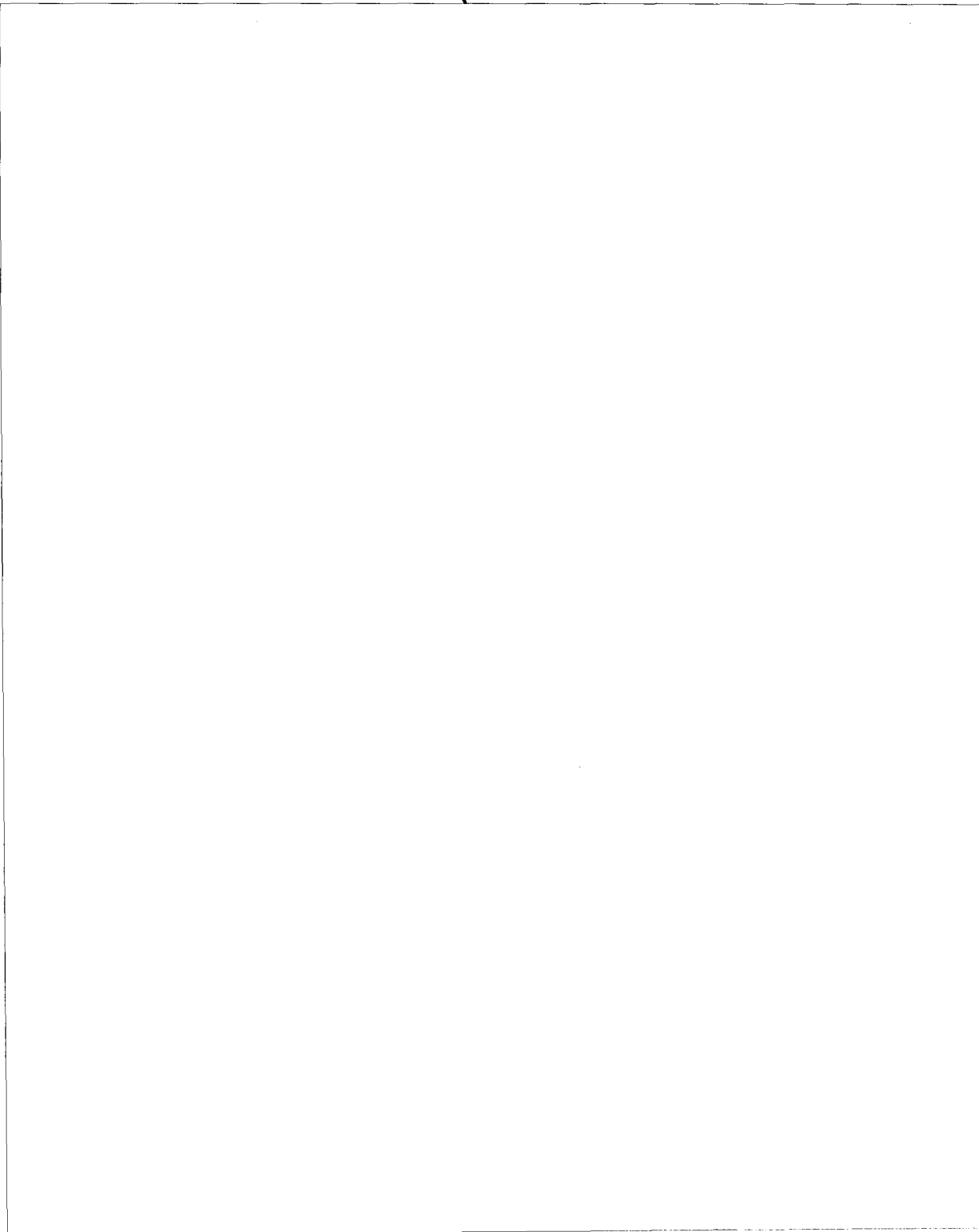
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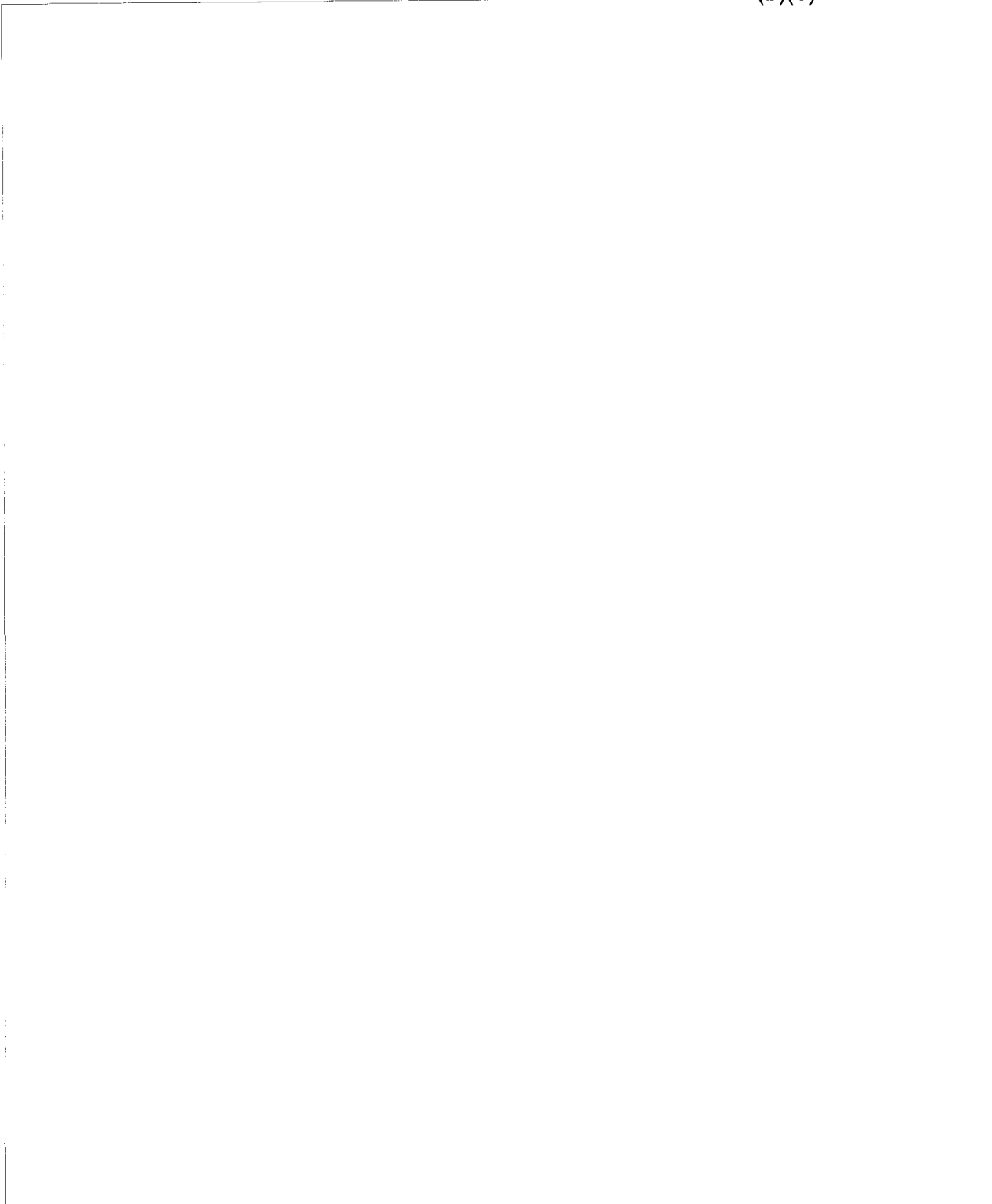


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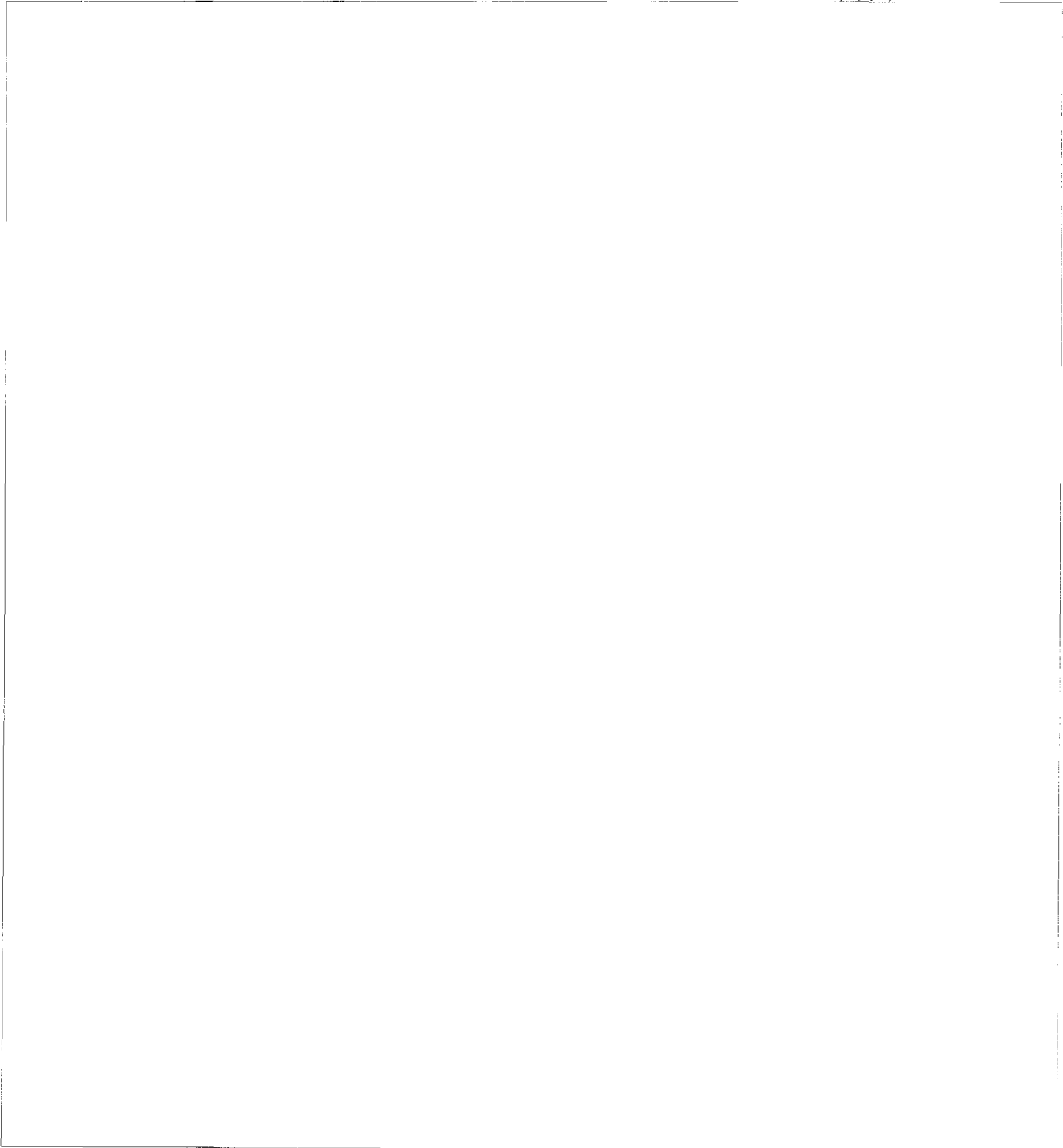


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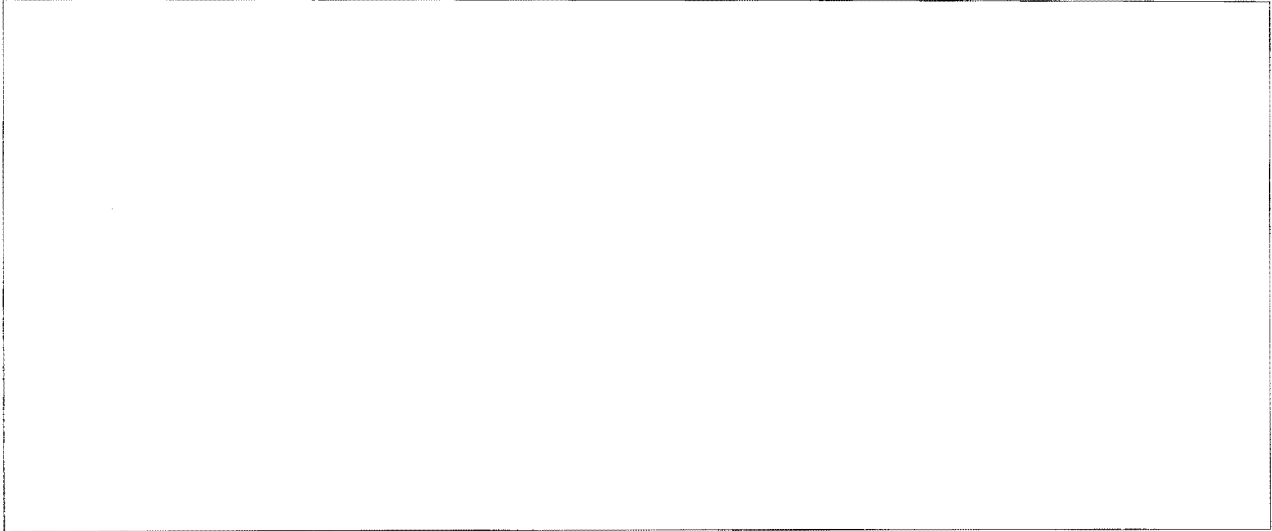
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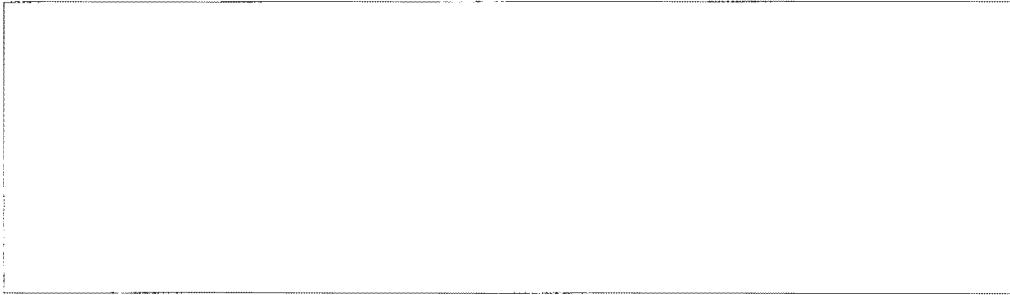


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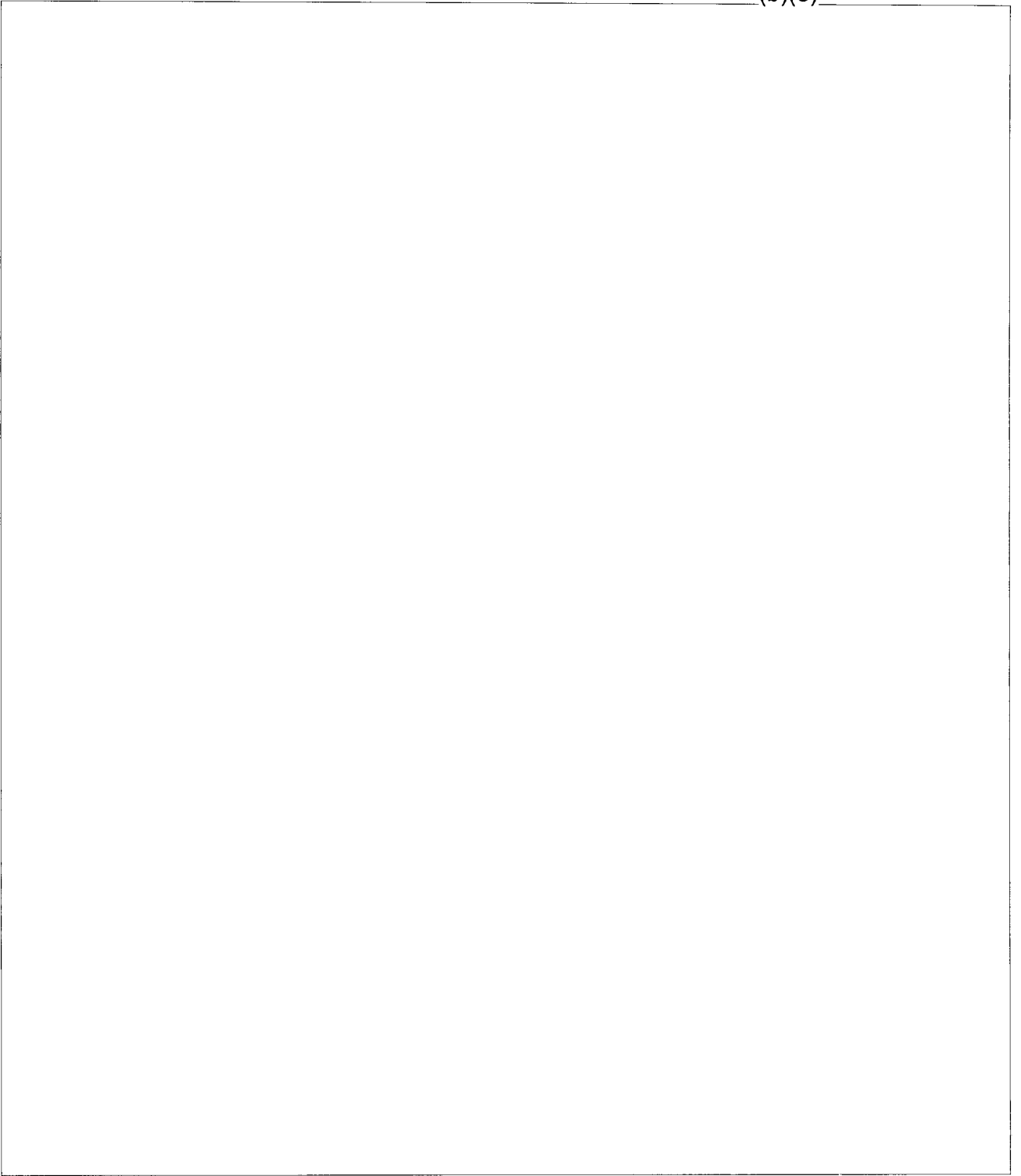
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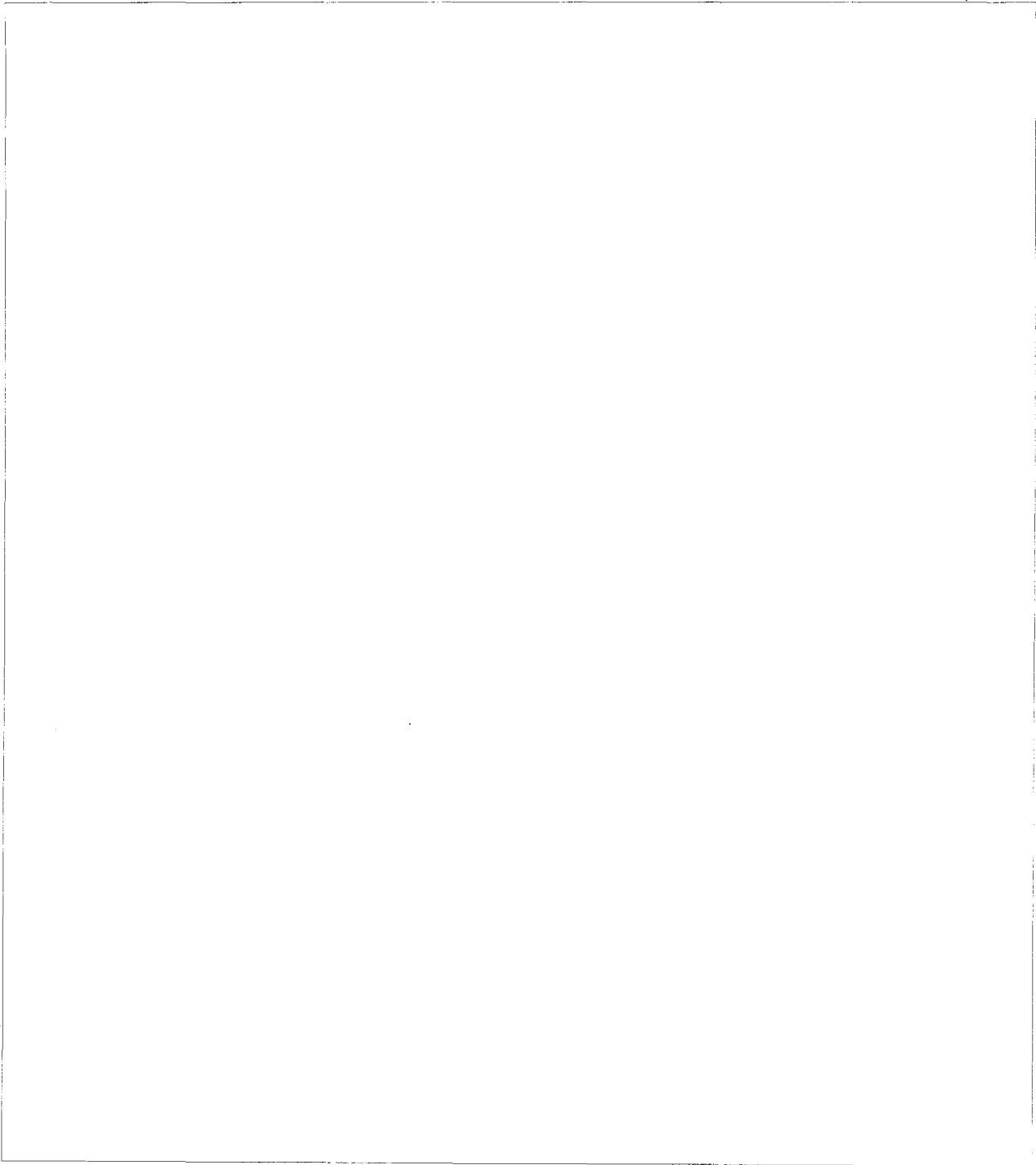
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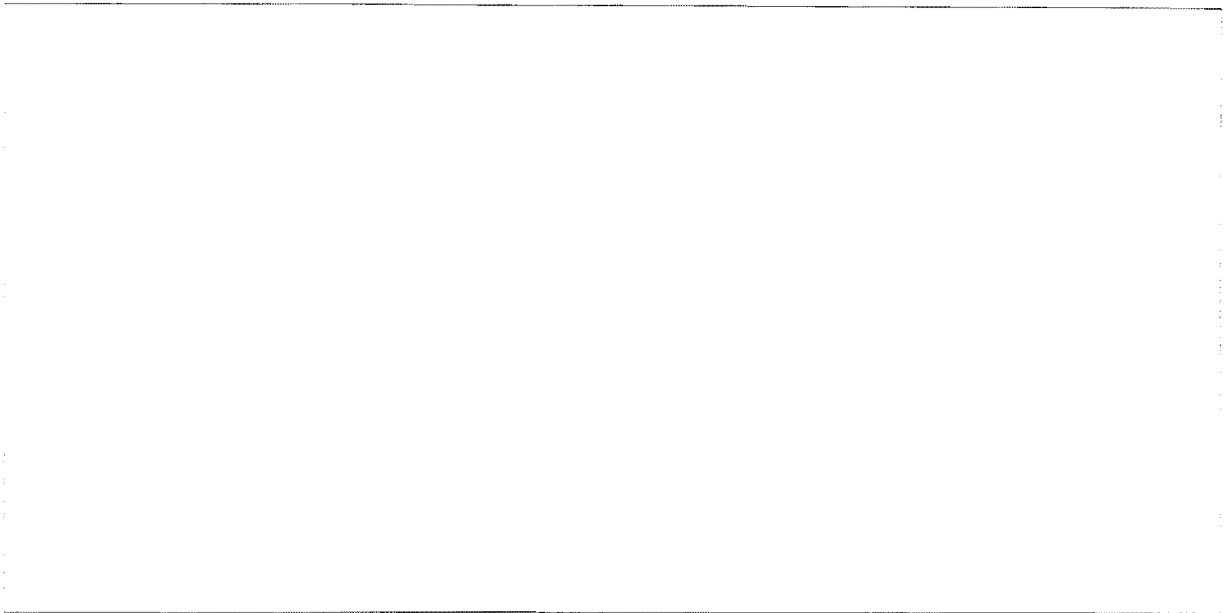
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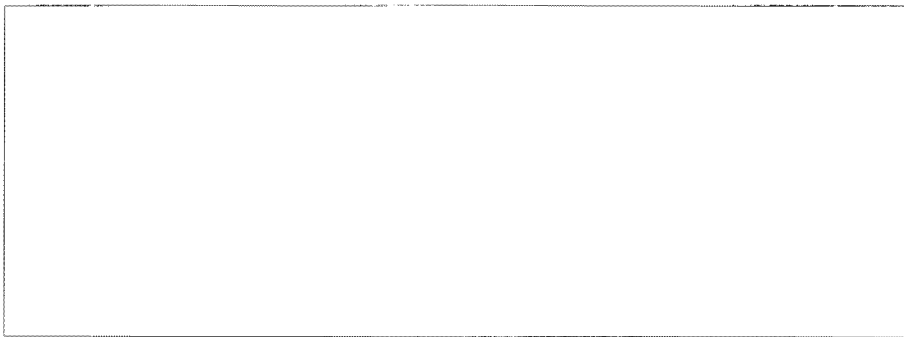
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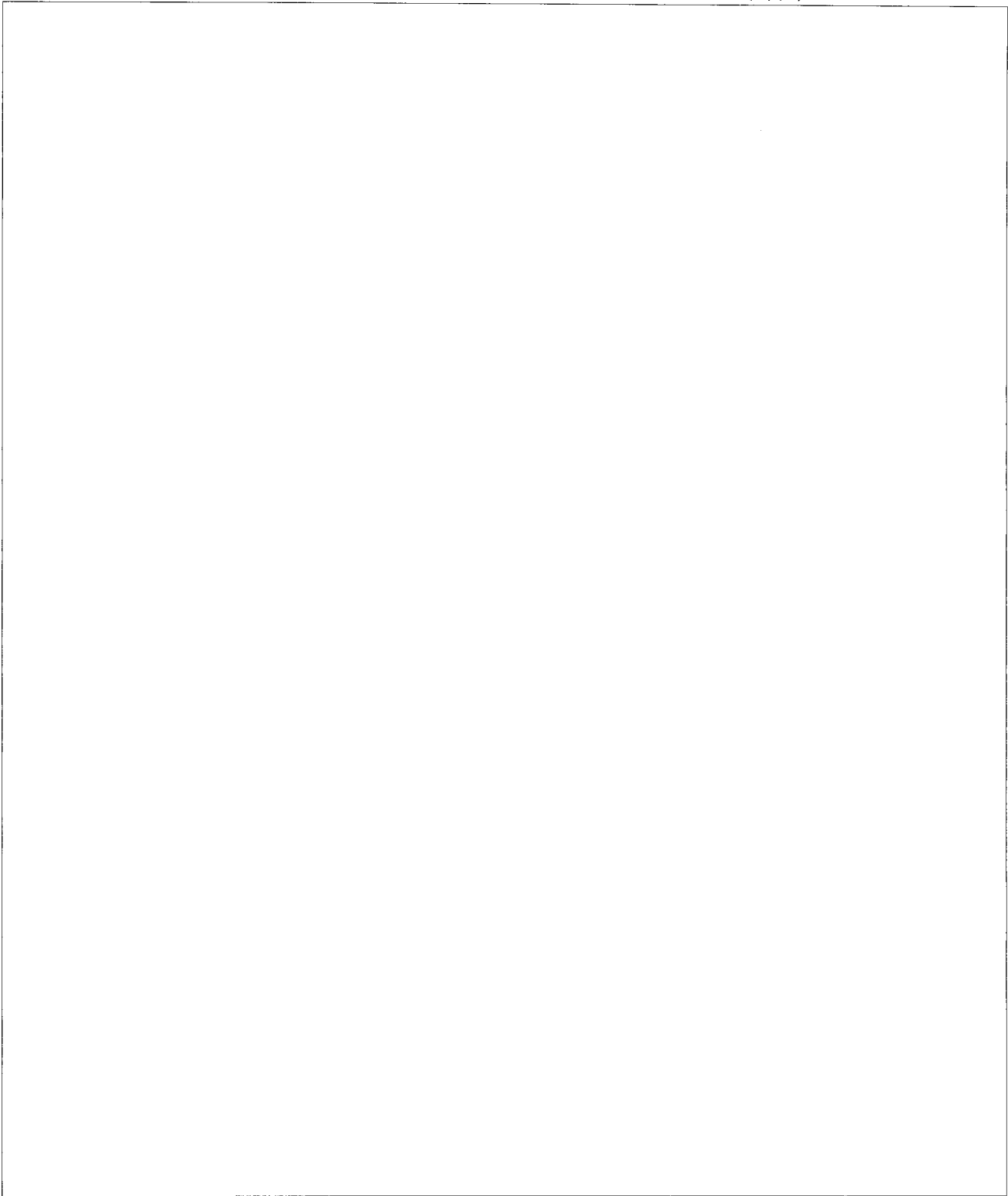


APPENDIX H

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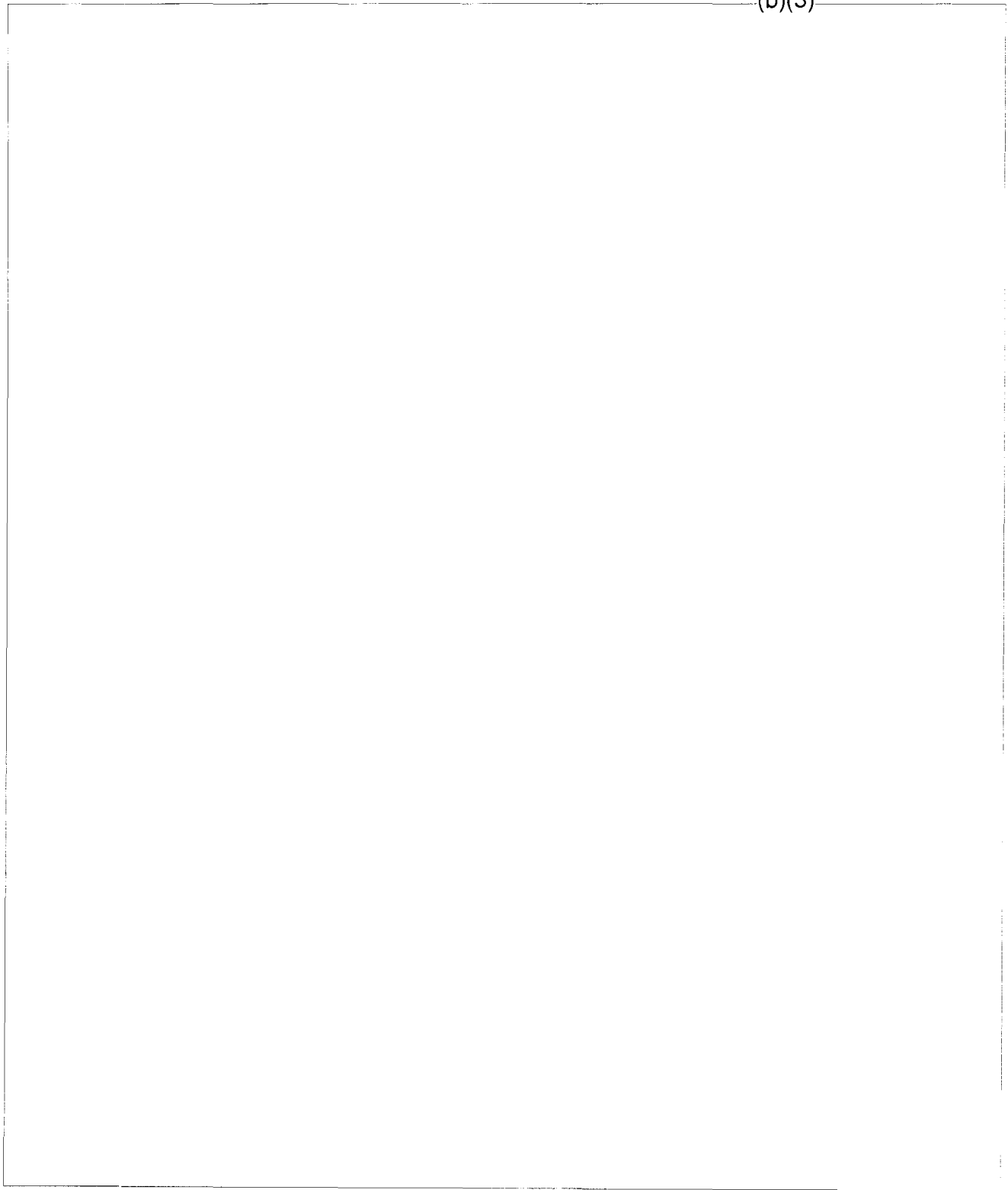


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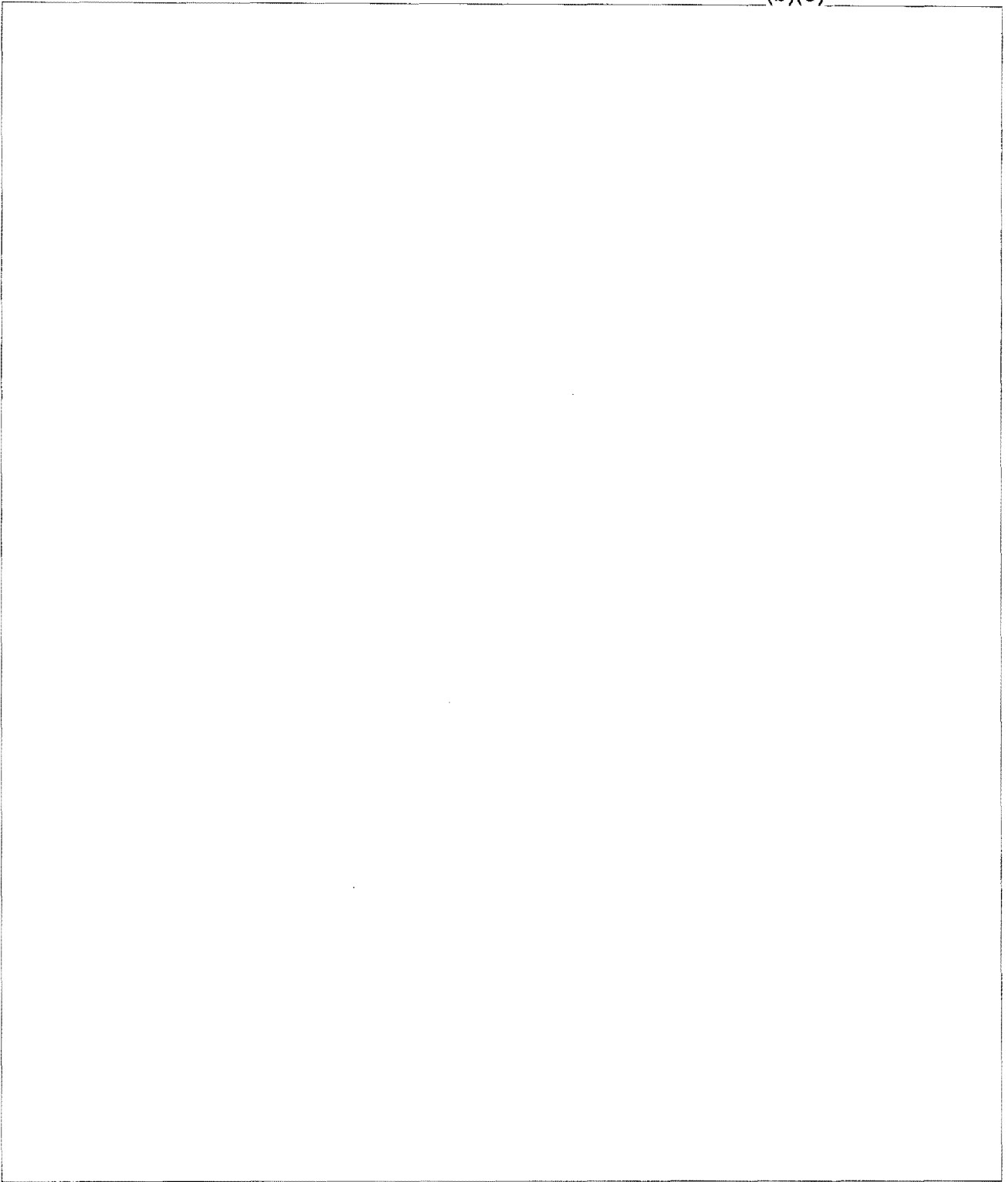
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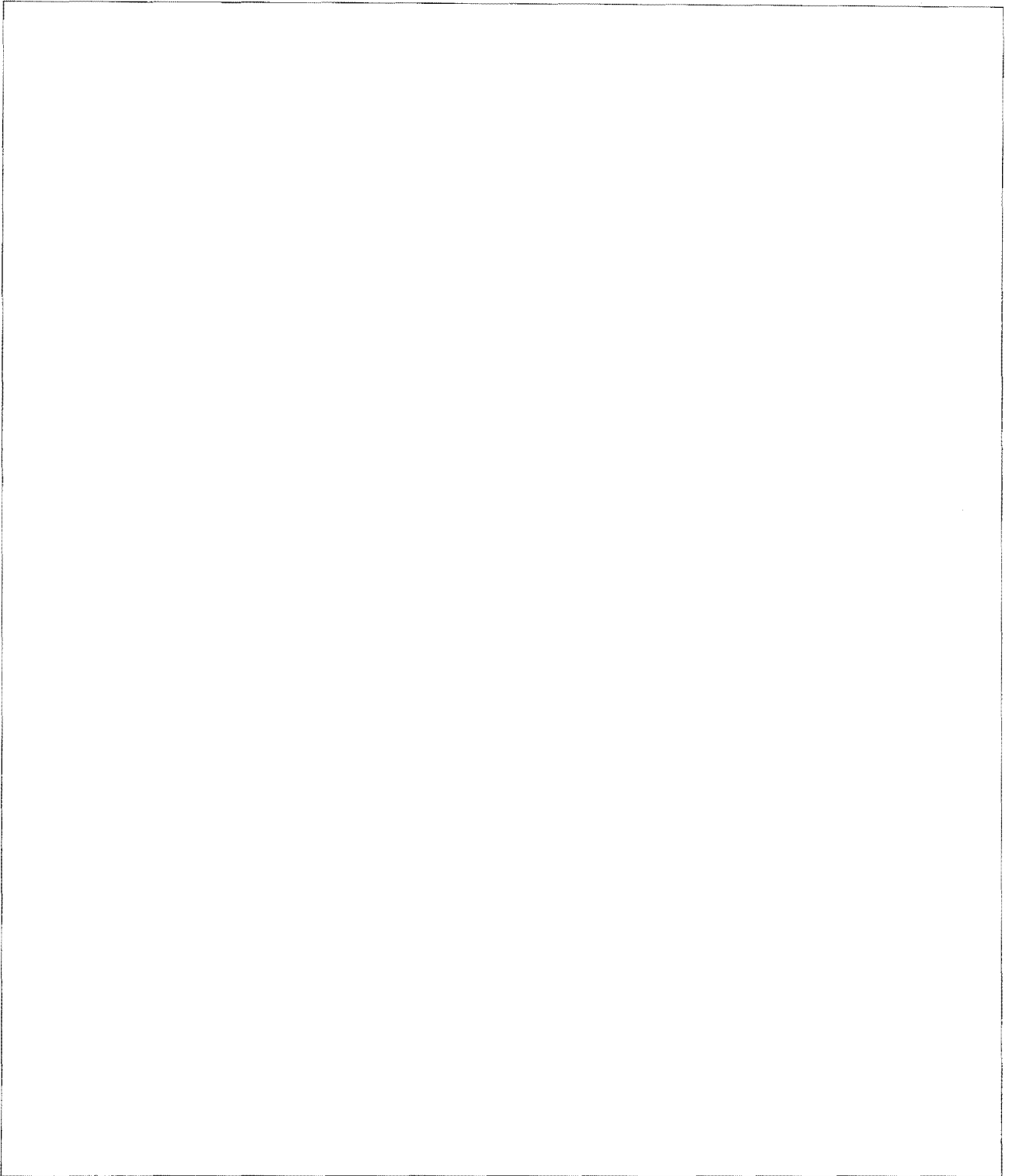
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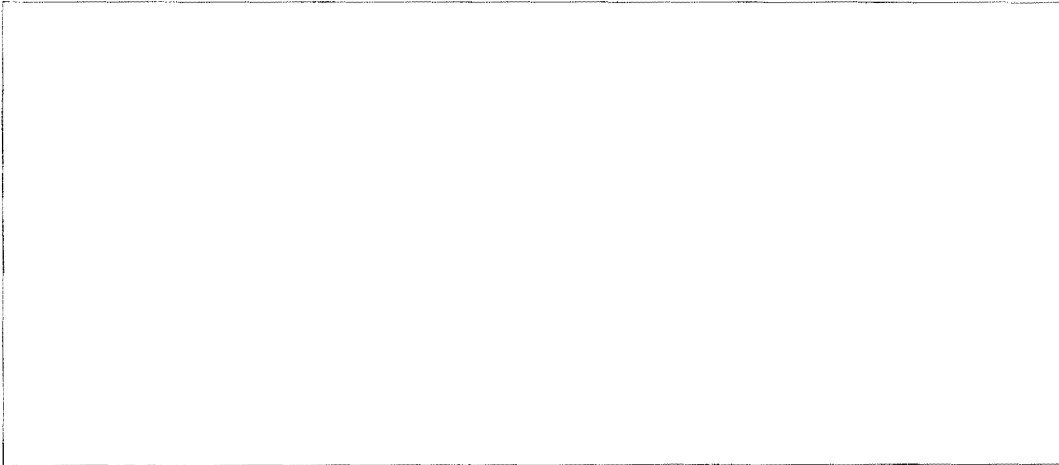
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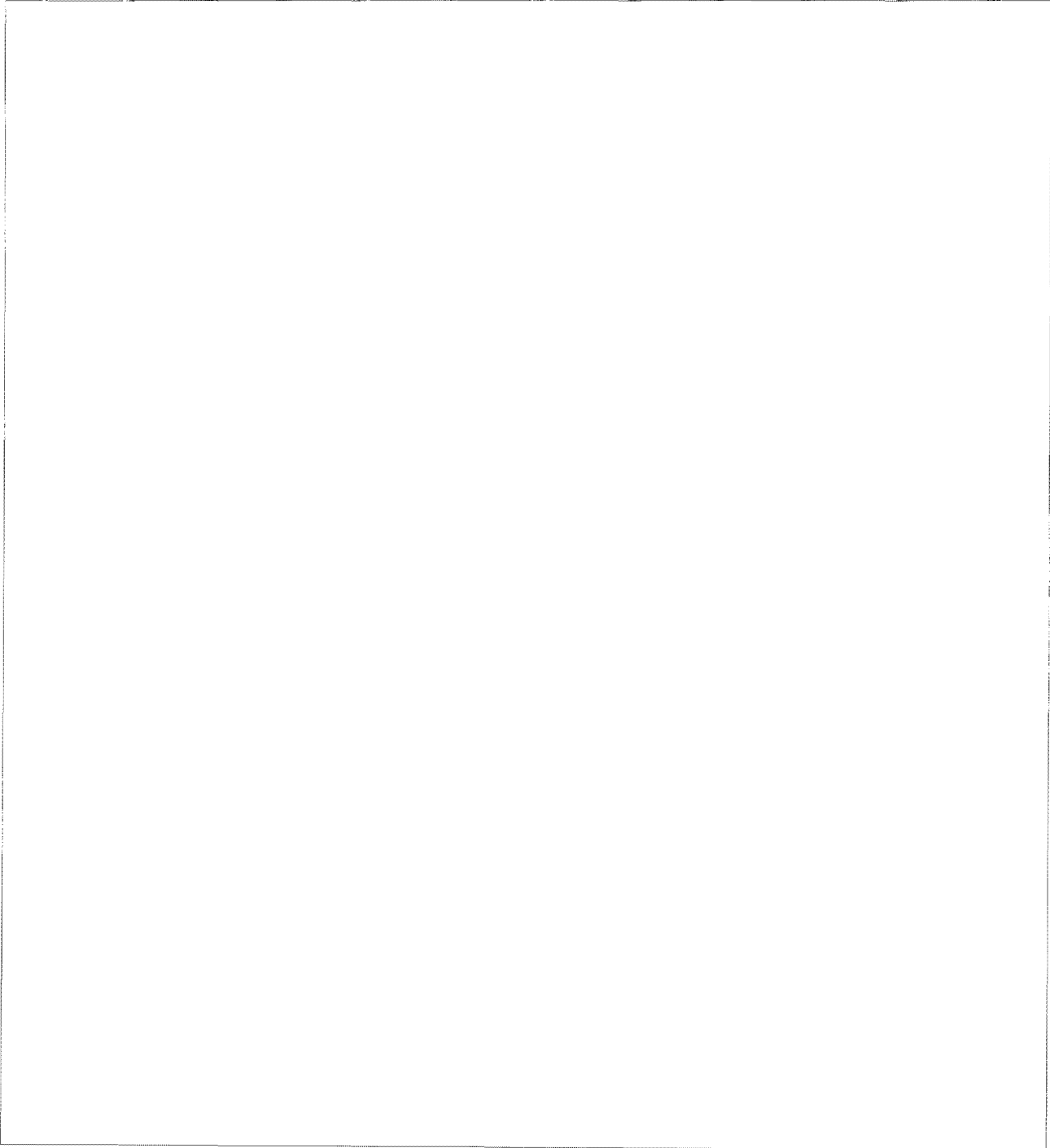
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APPENDIX I

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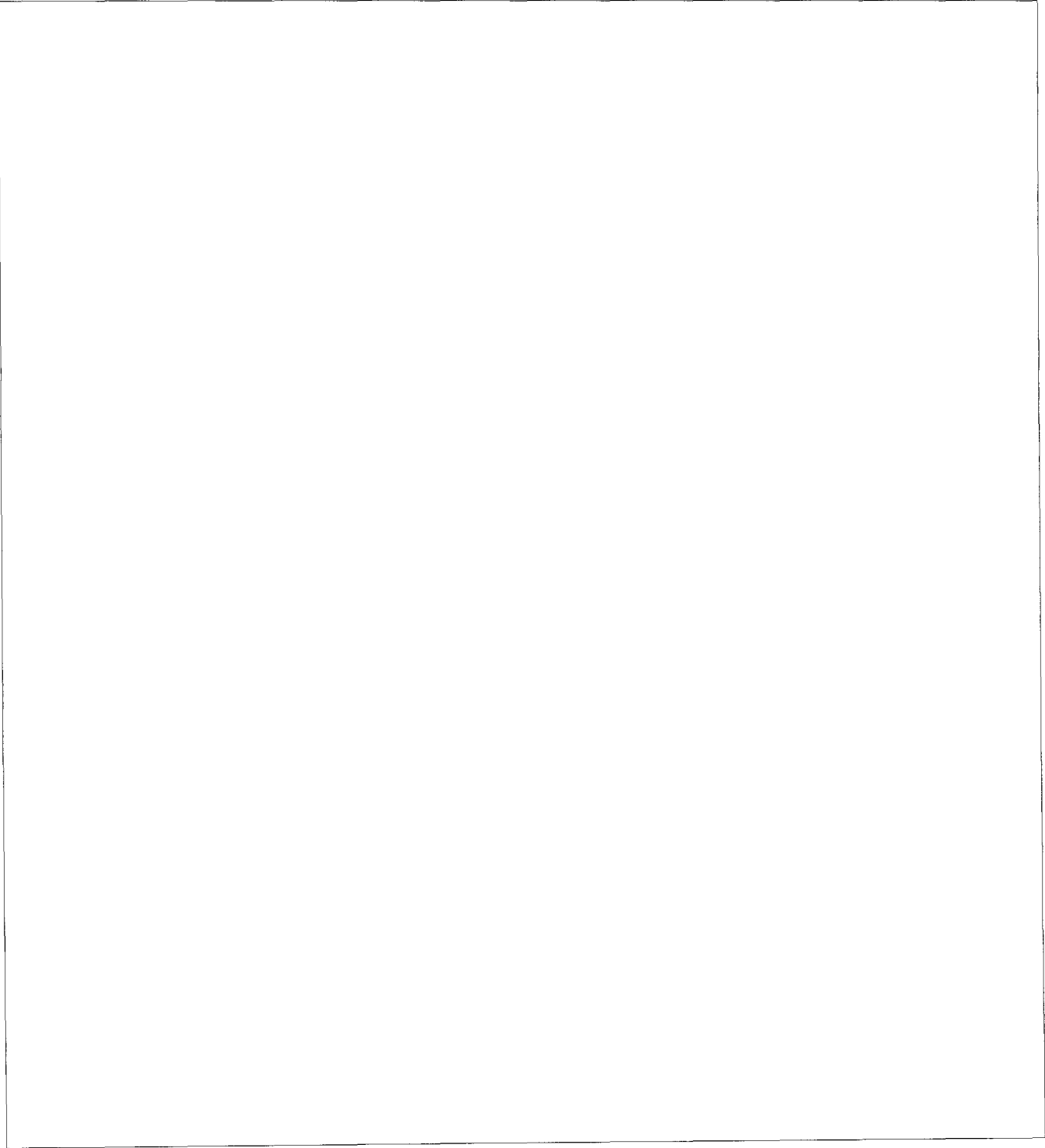
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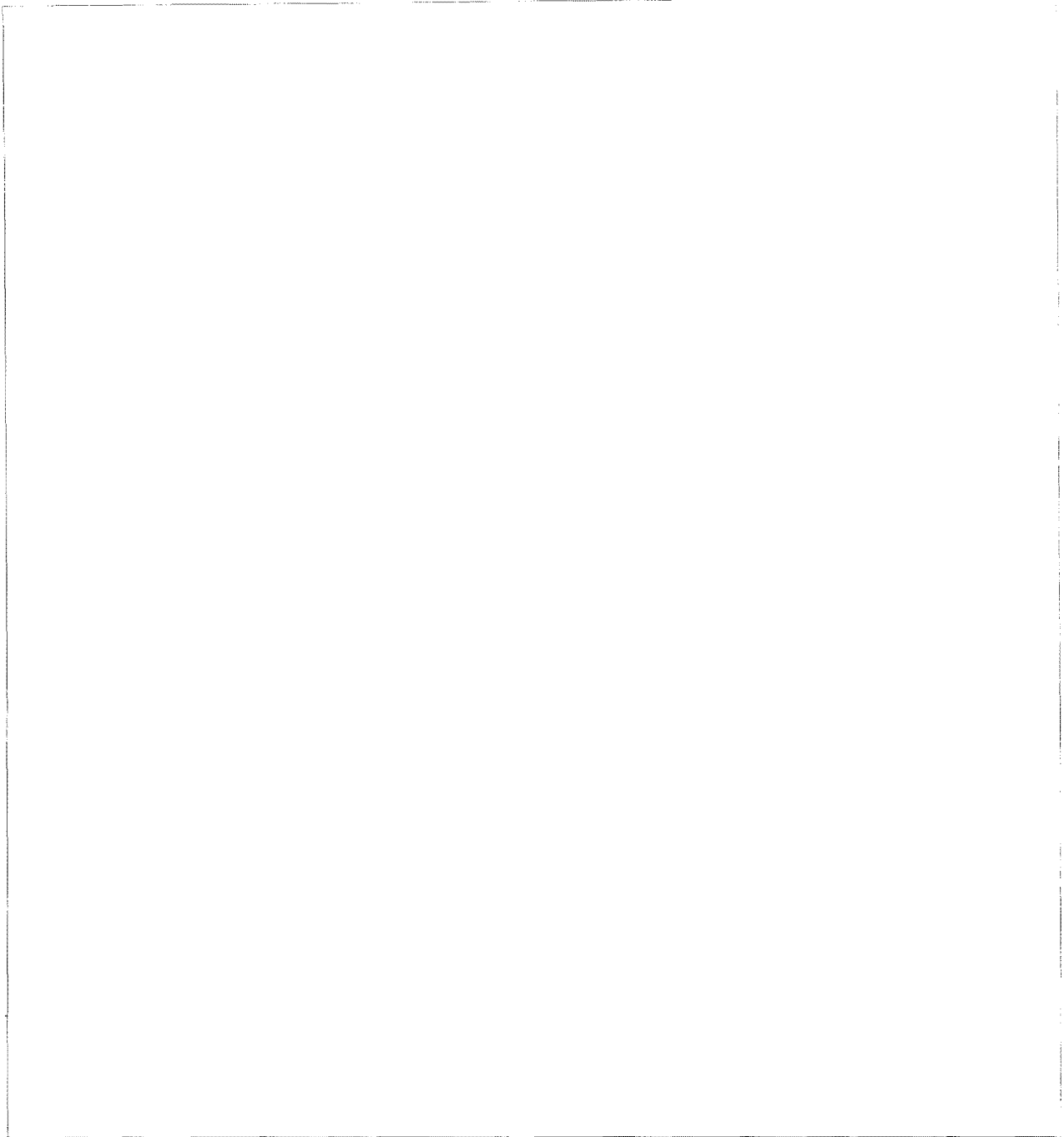
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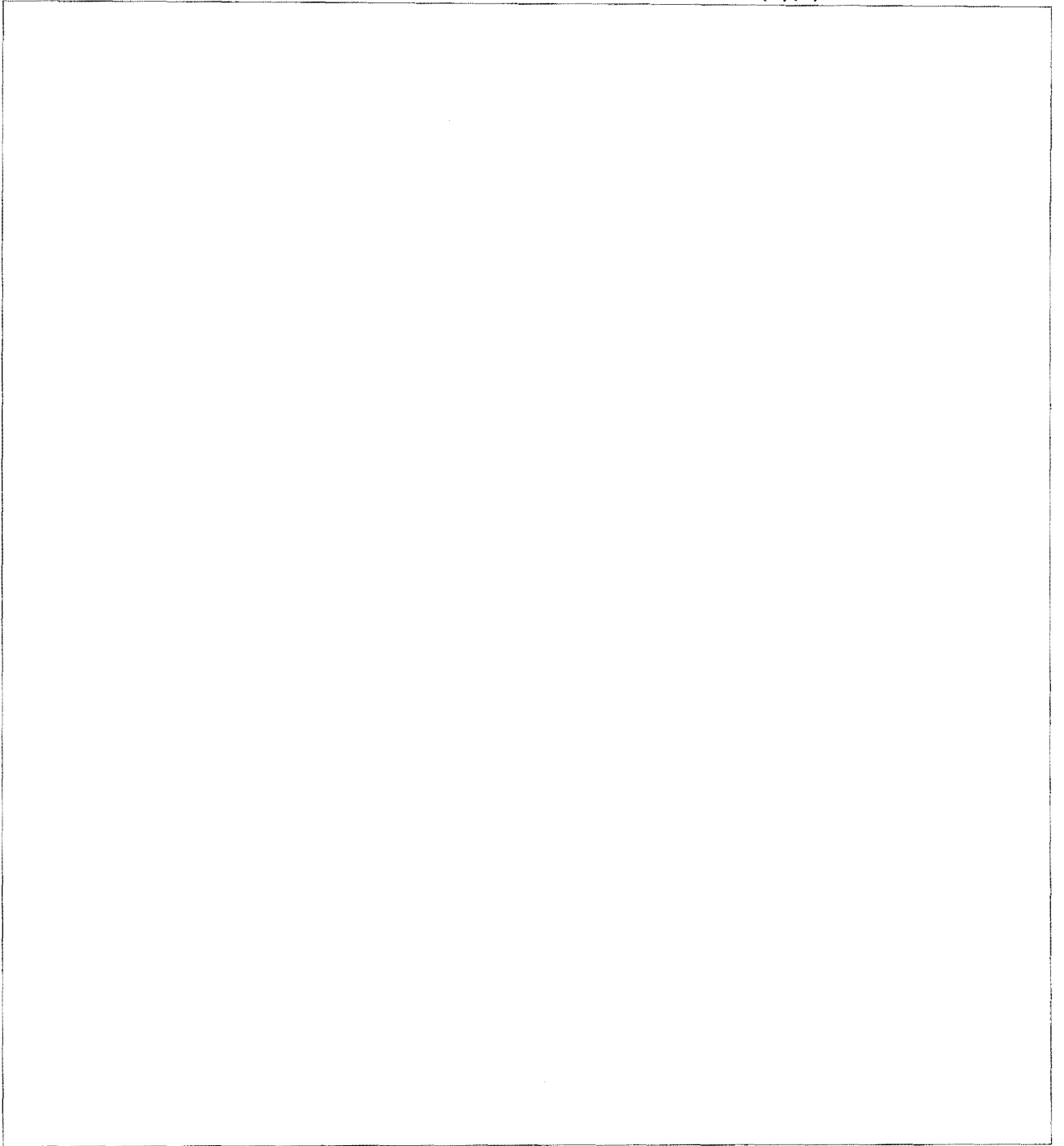


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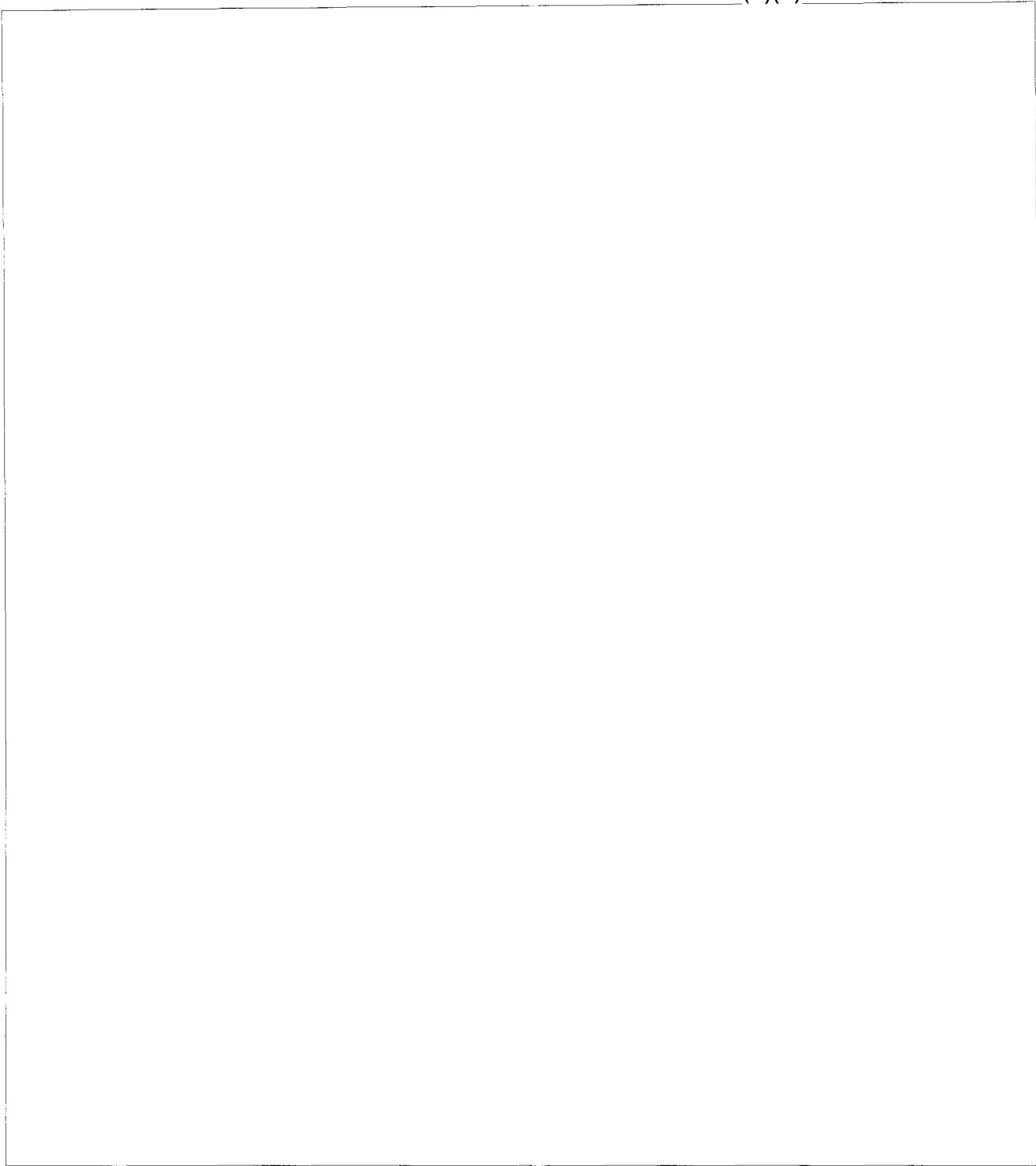


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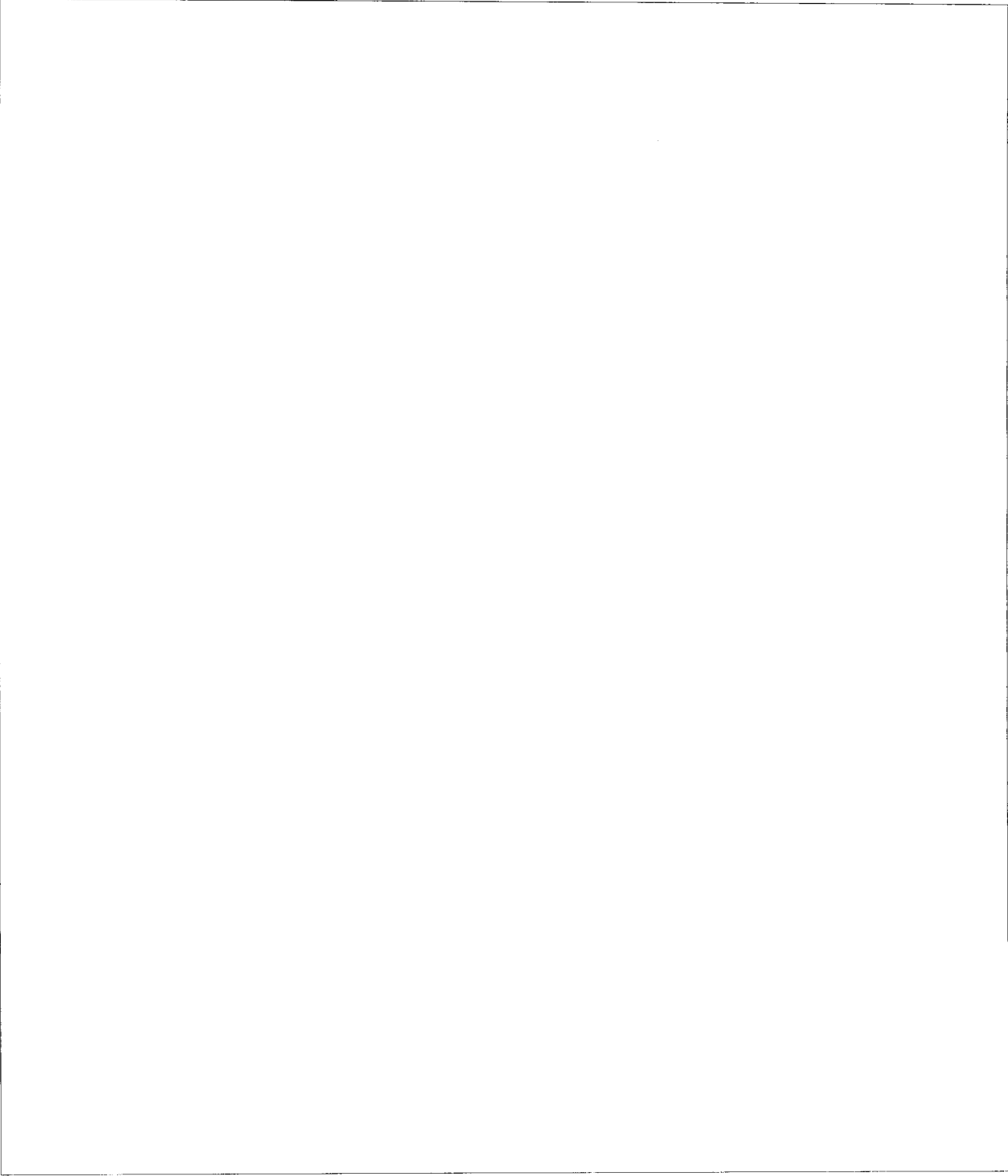
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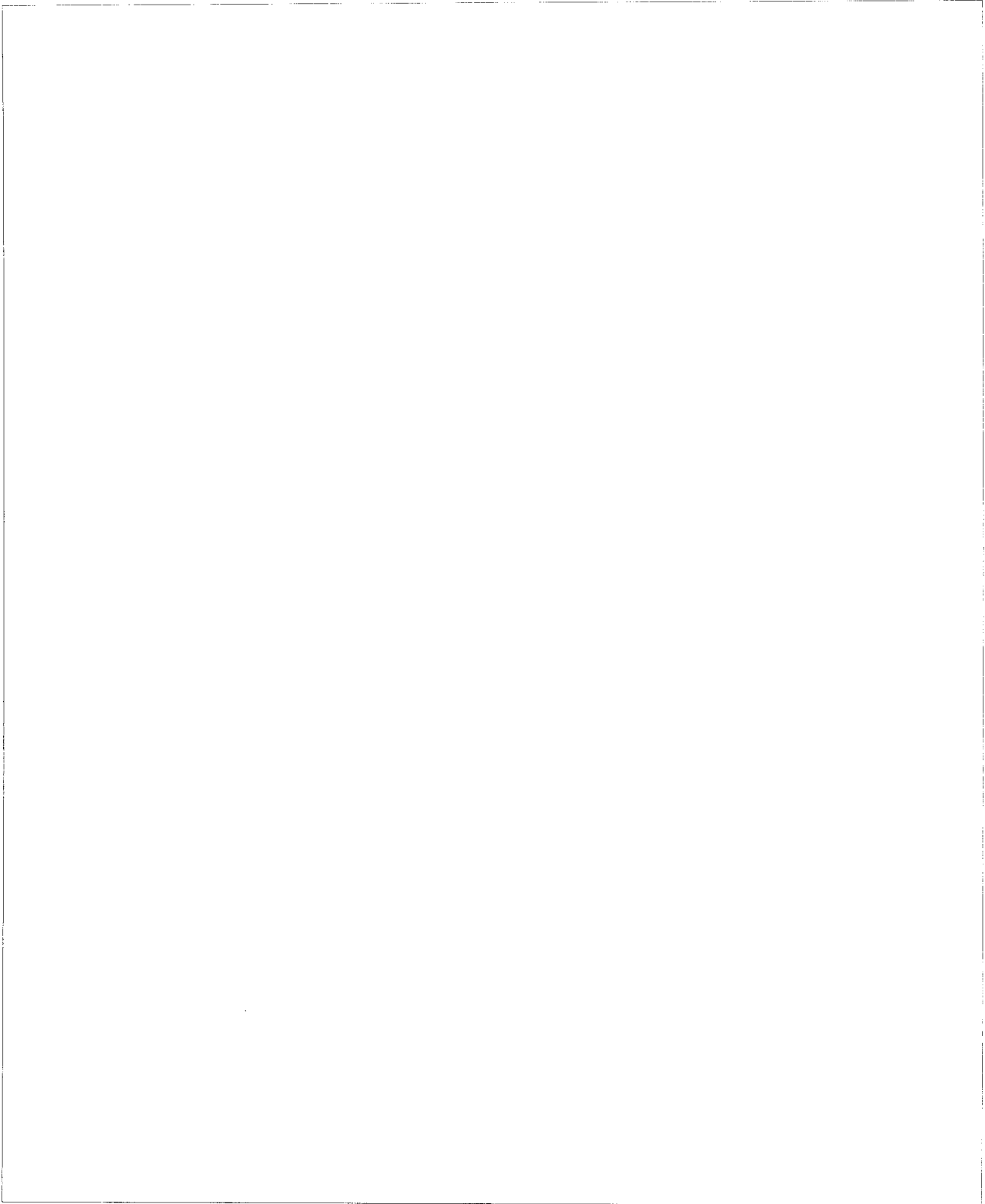
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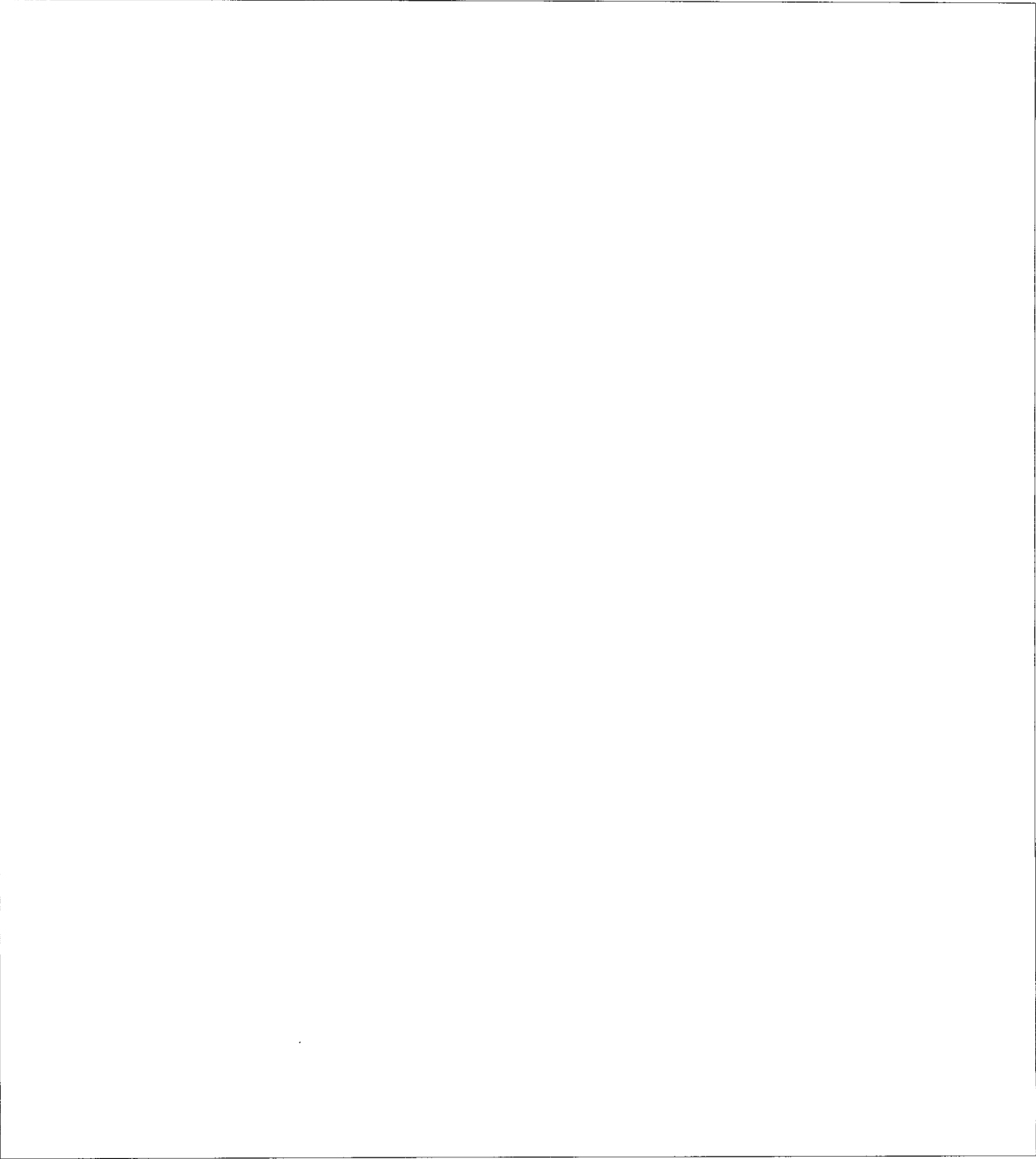


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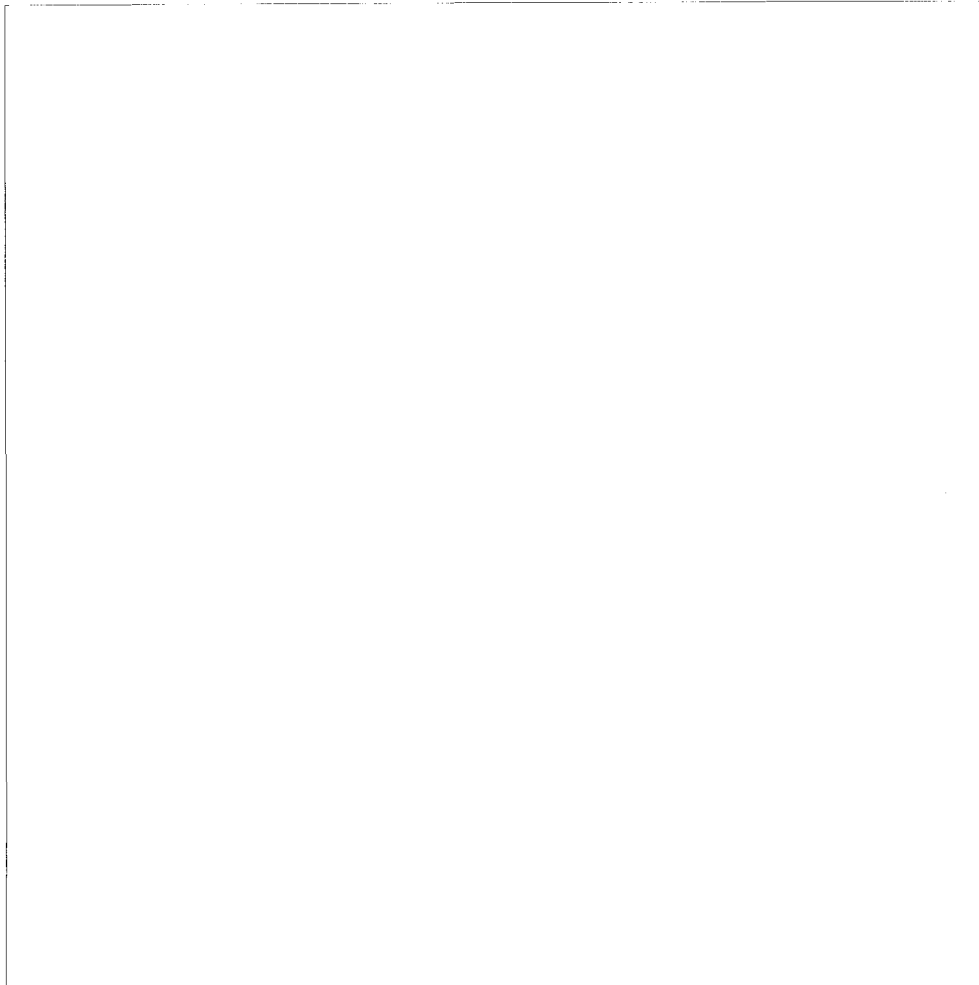


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APPENDIX J

OP Oral History Project  
(Selected) Tape Transcripts

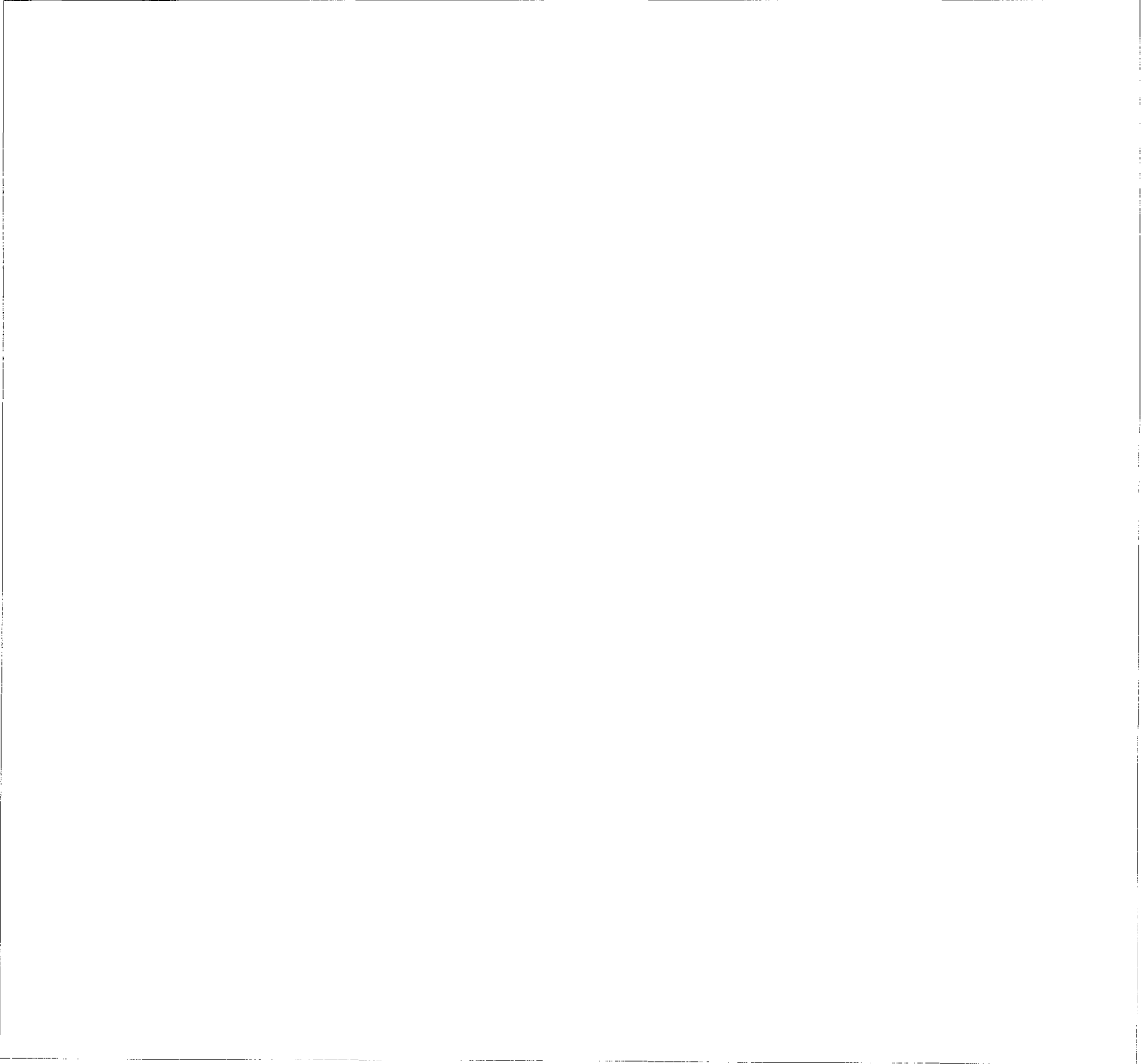
APPENDIX J

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APPENDIX J

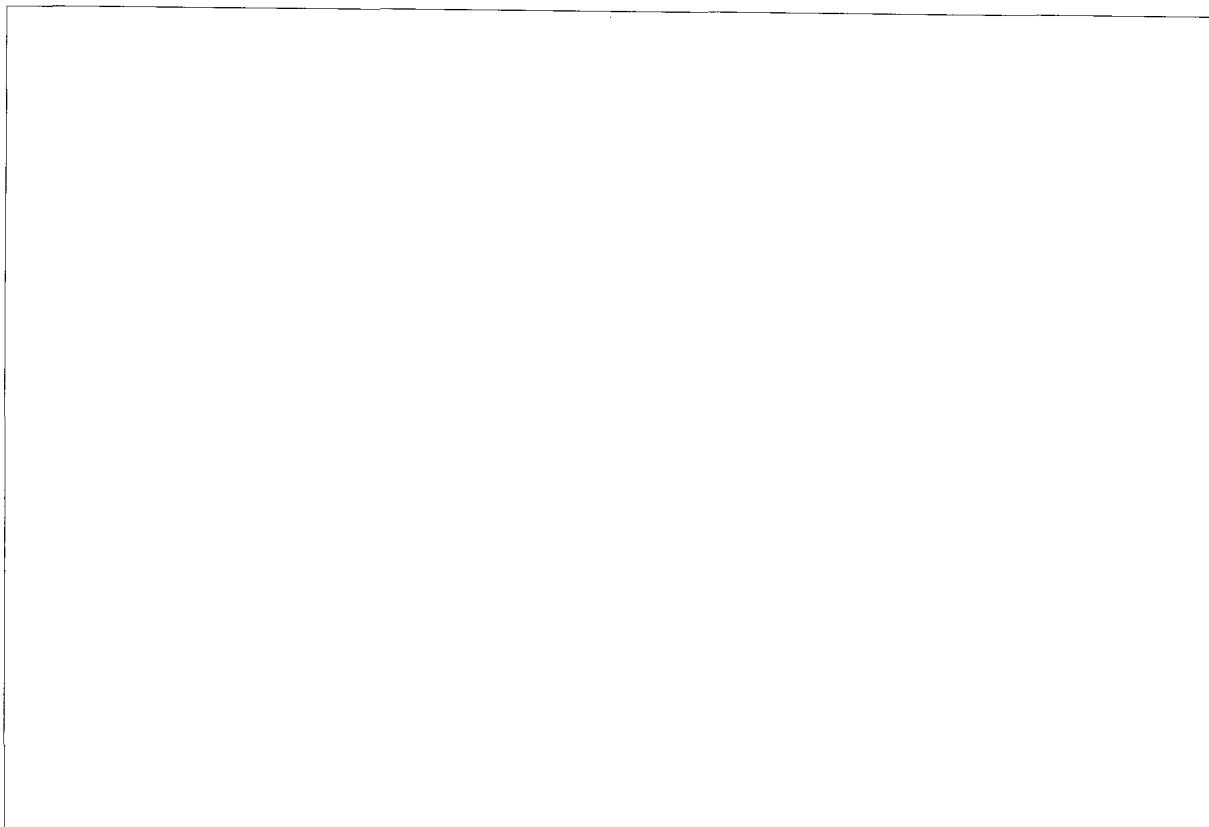
OP Oral History Project (b)(1)  
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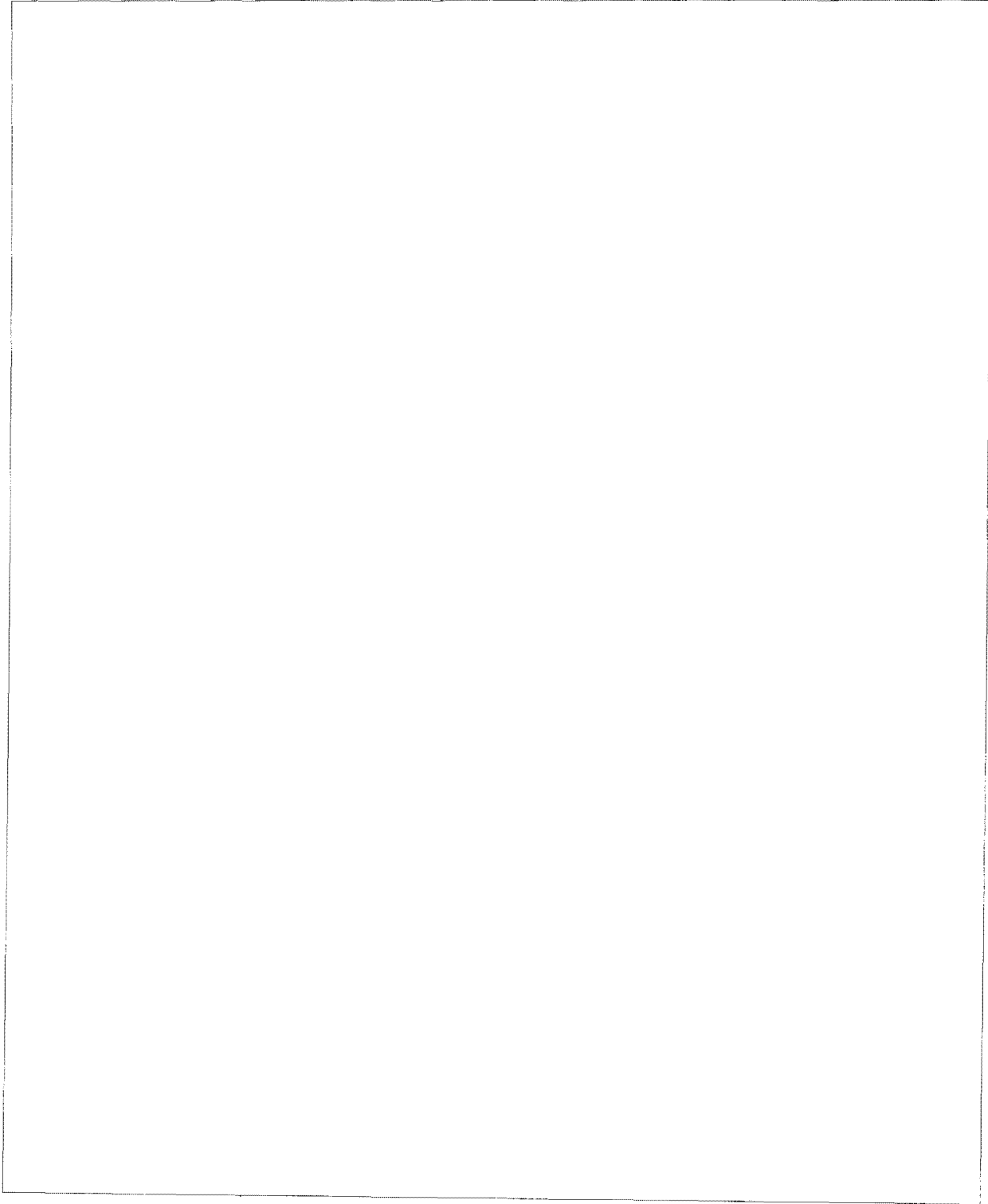


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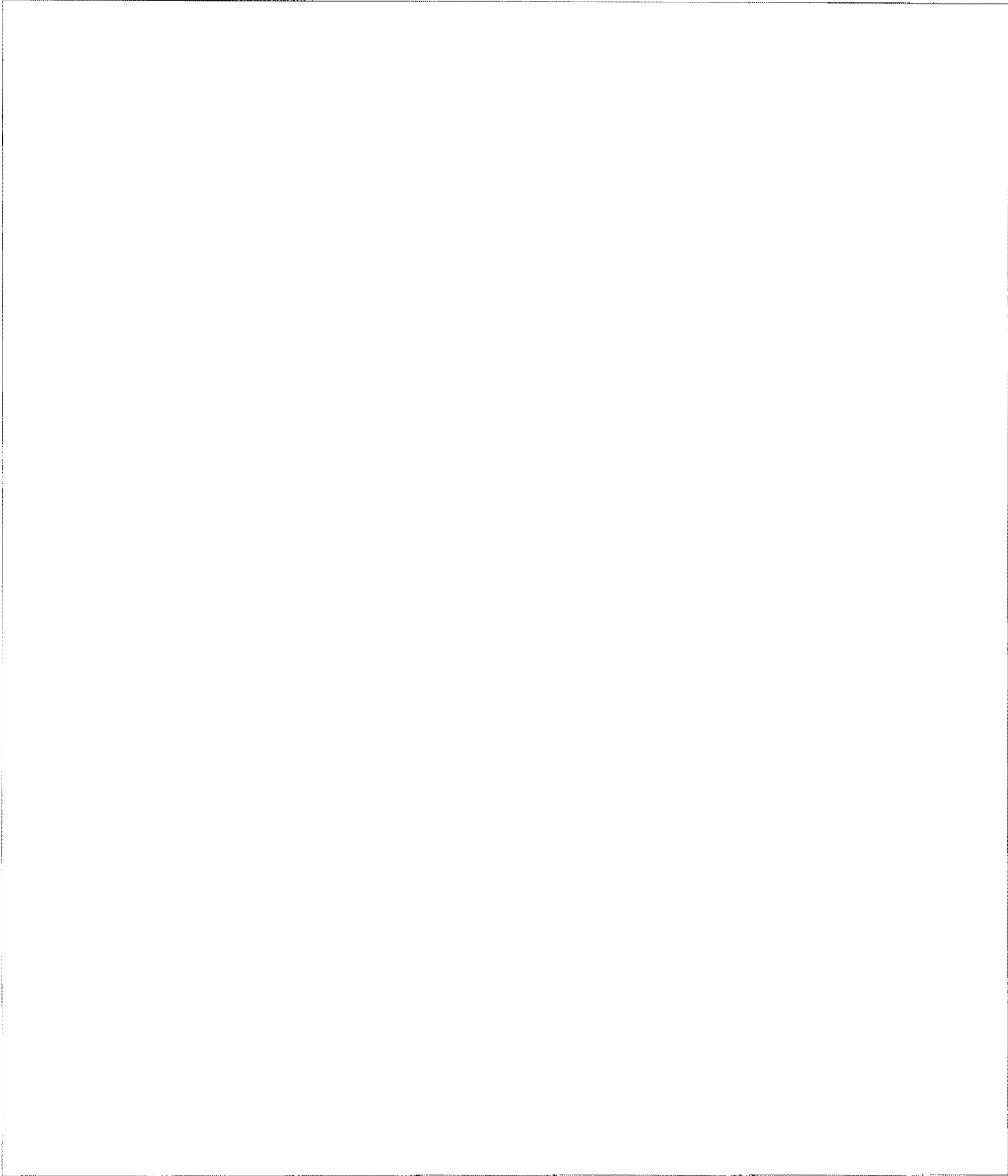


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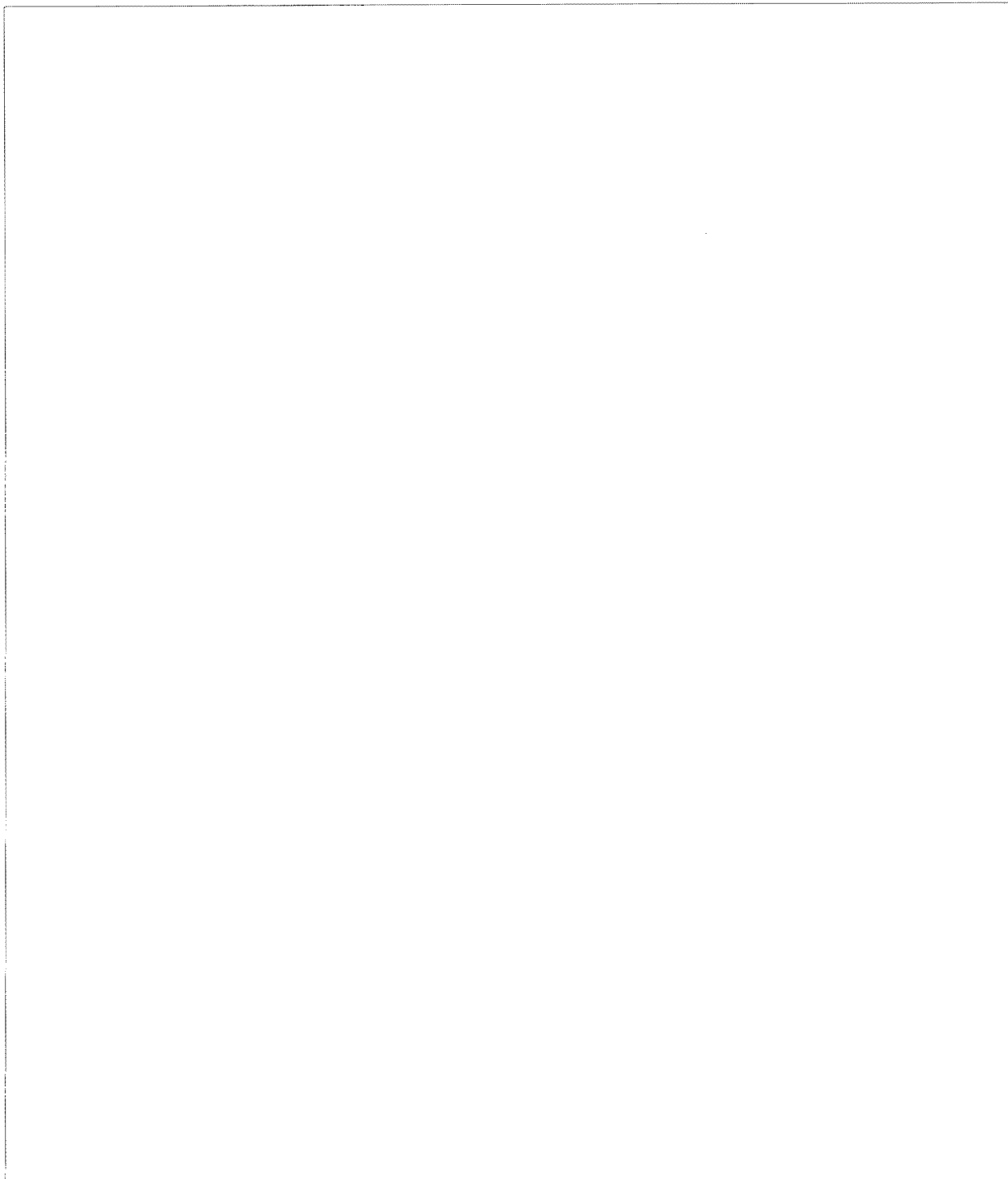
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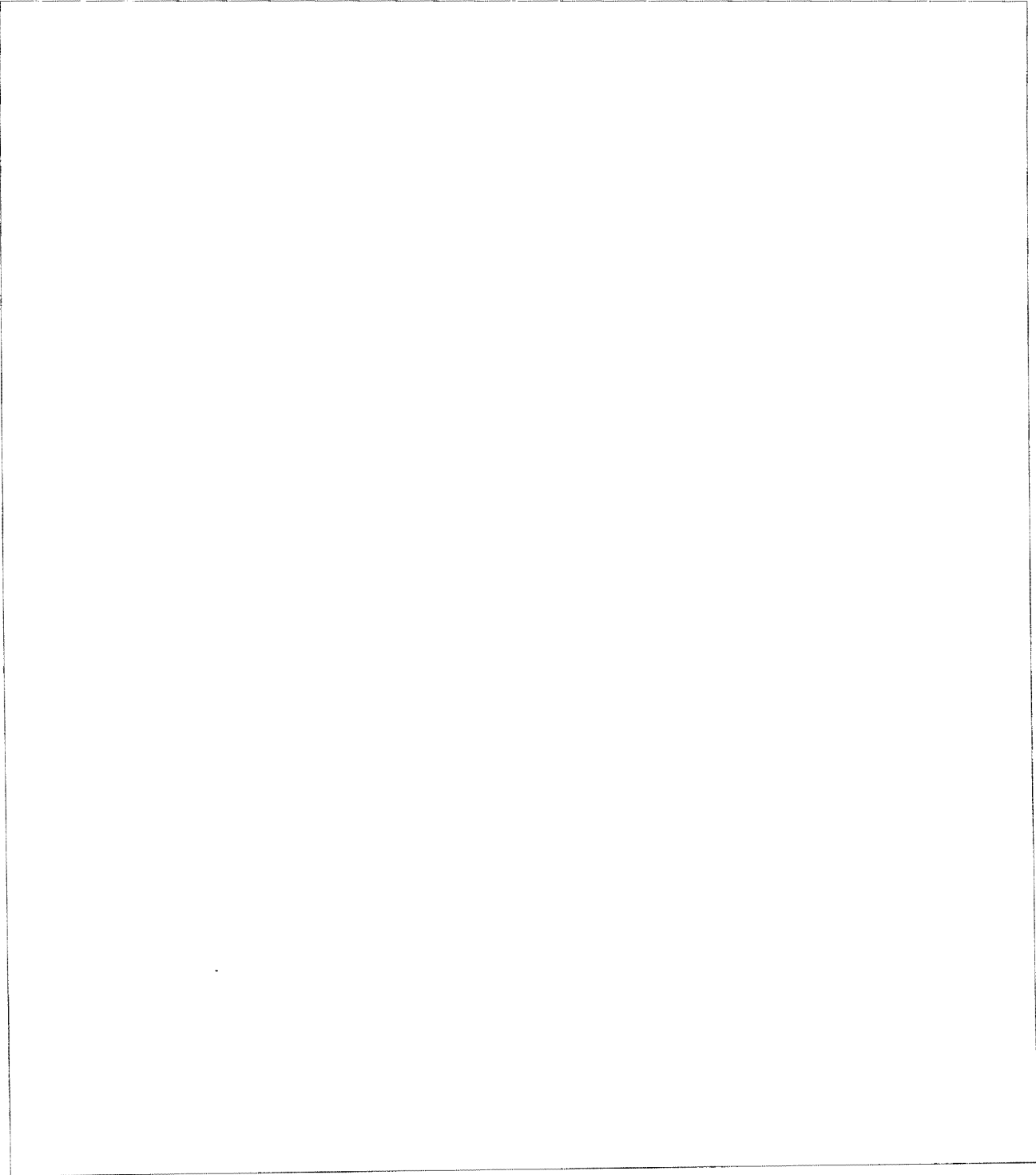
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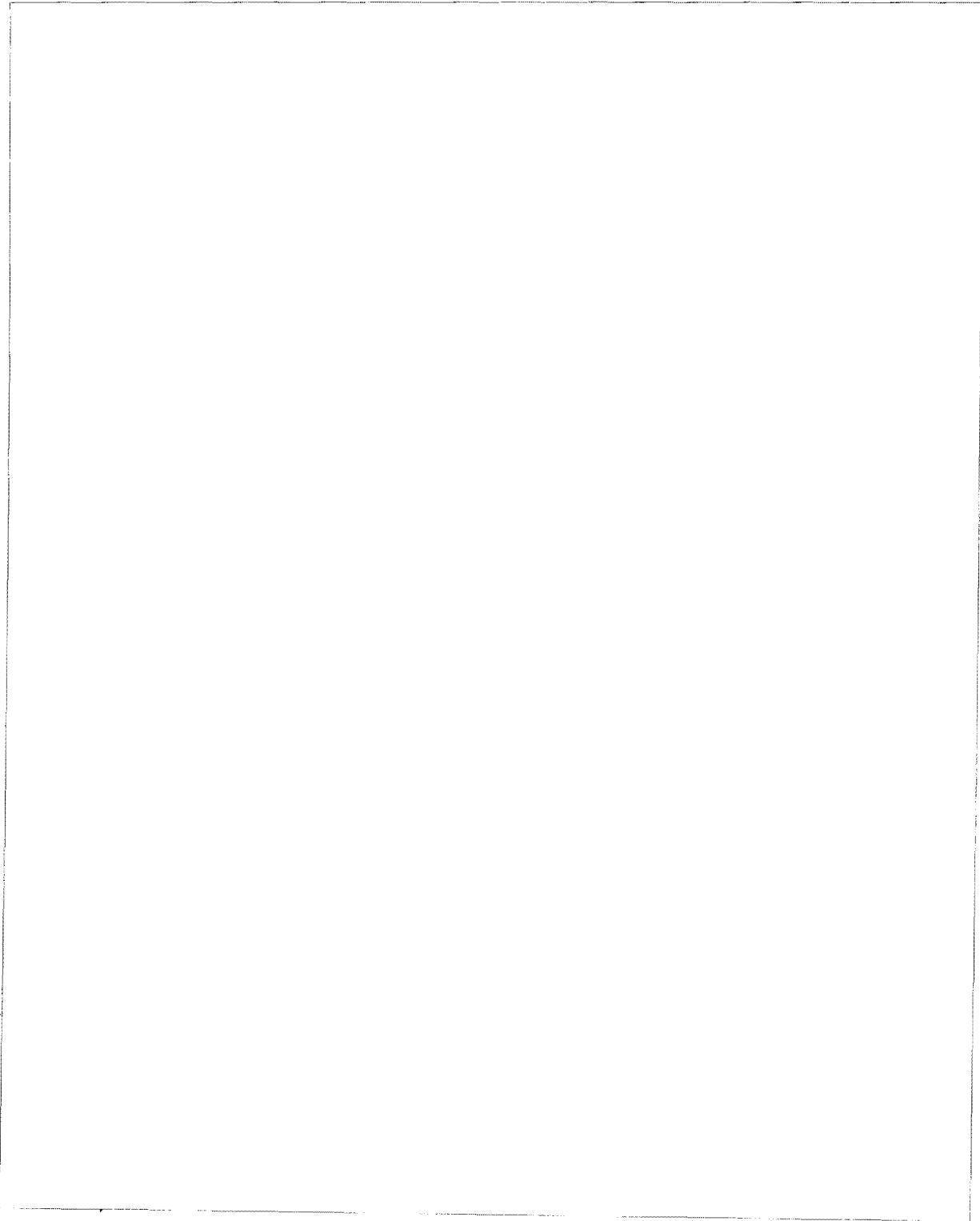
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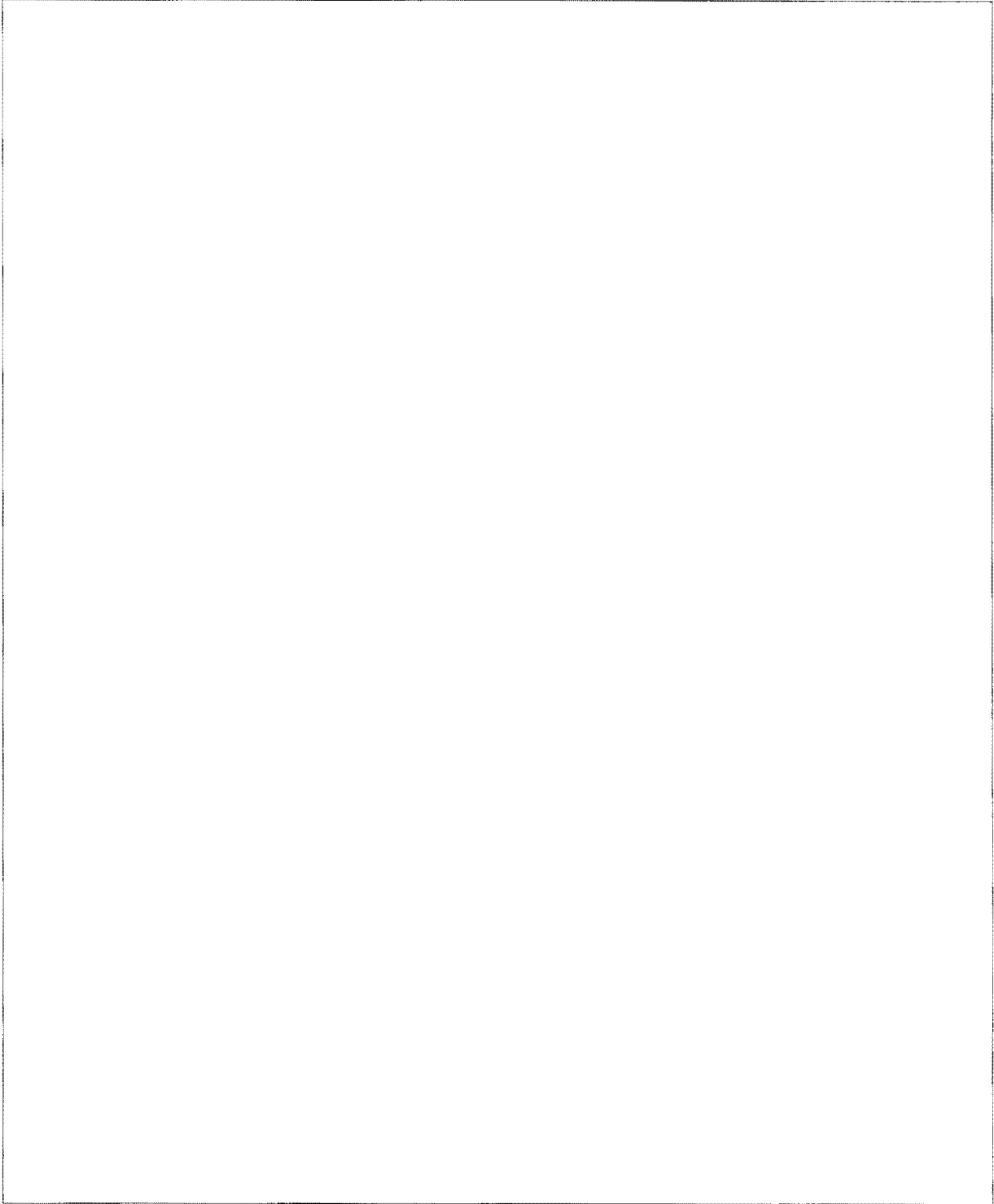
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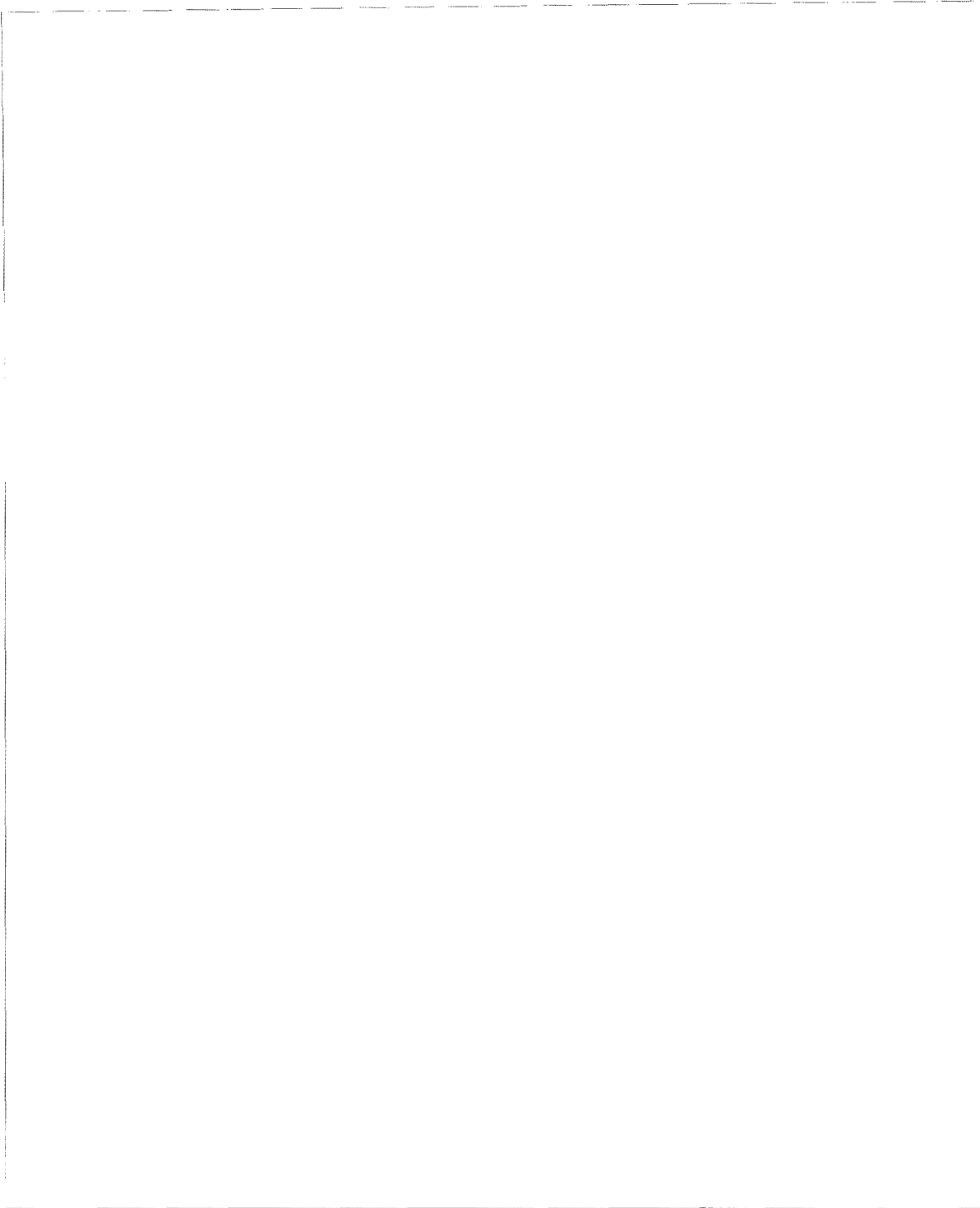


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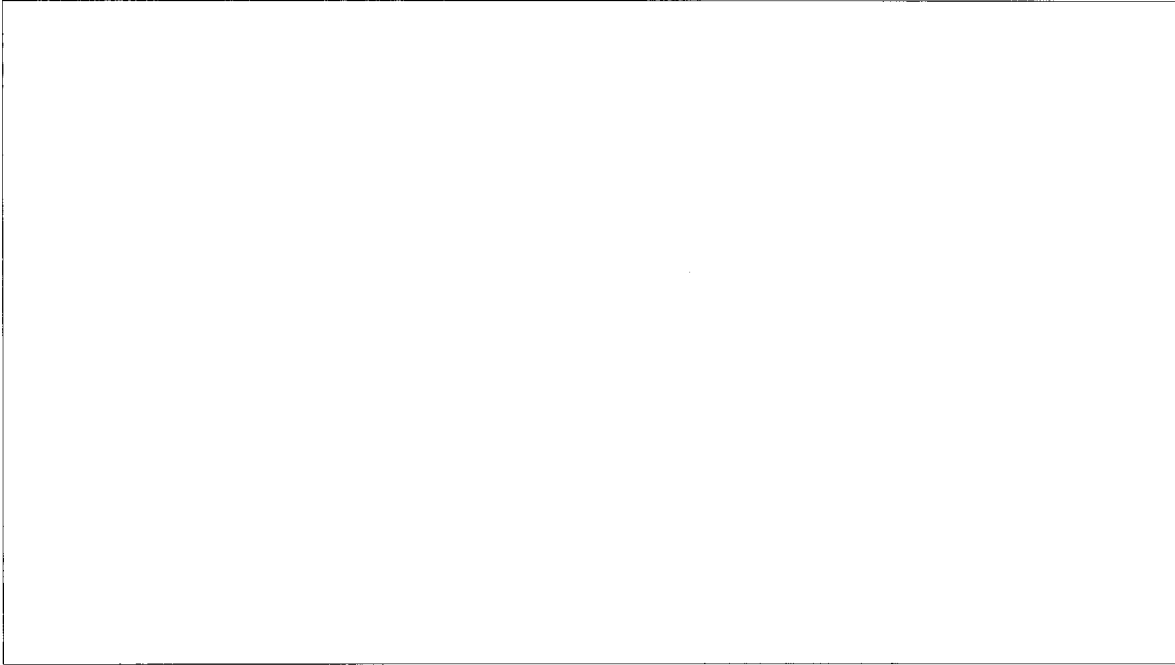
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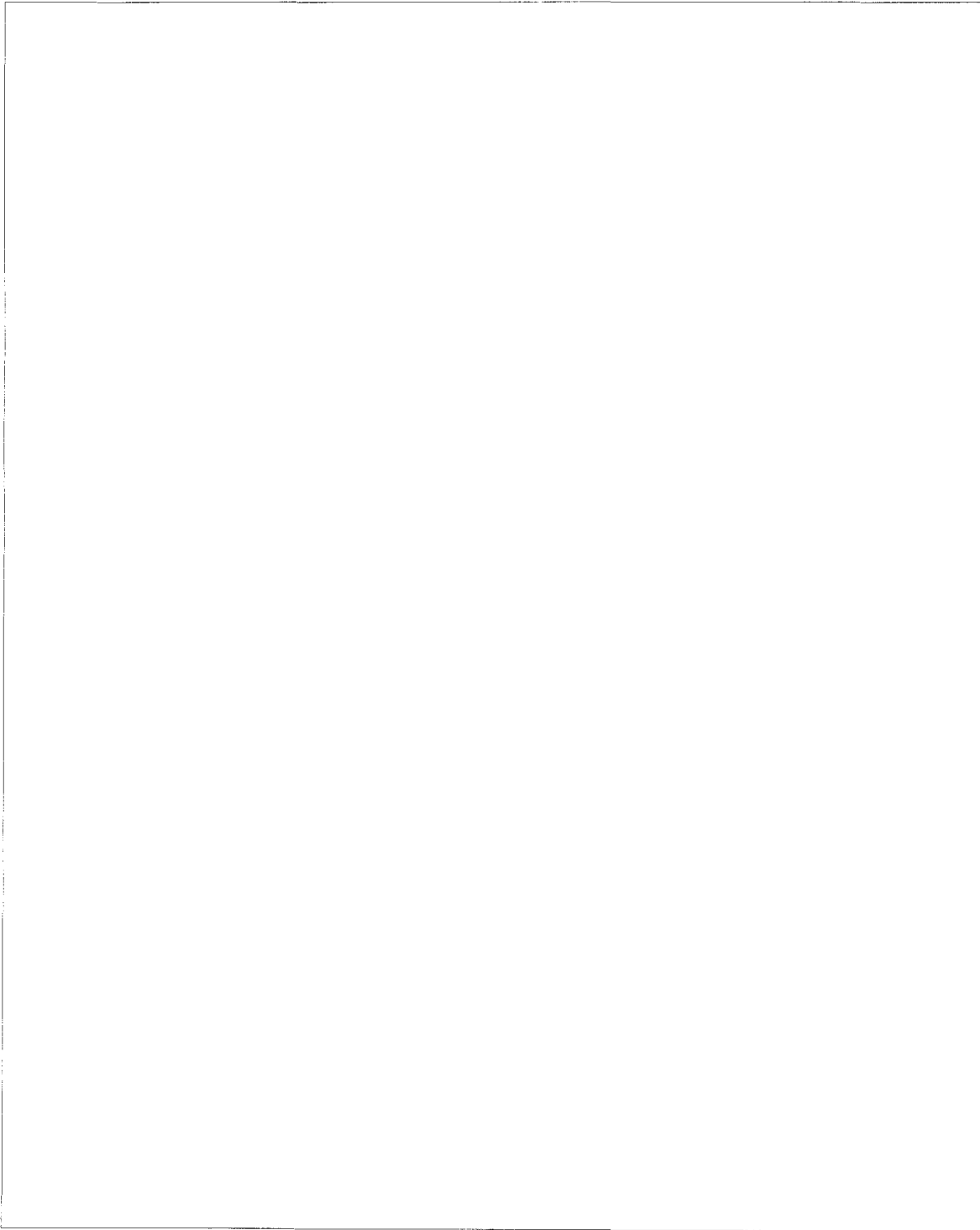
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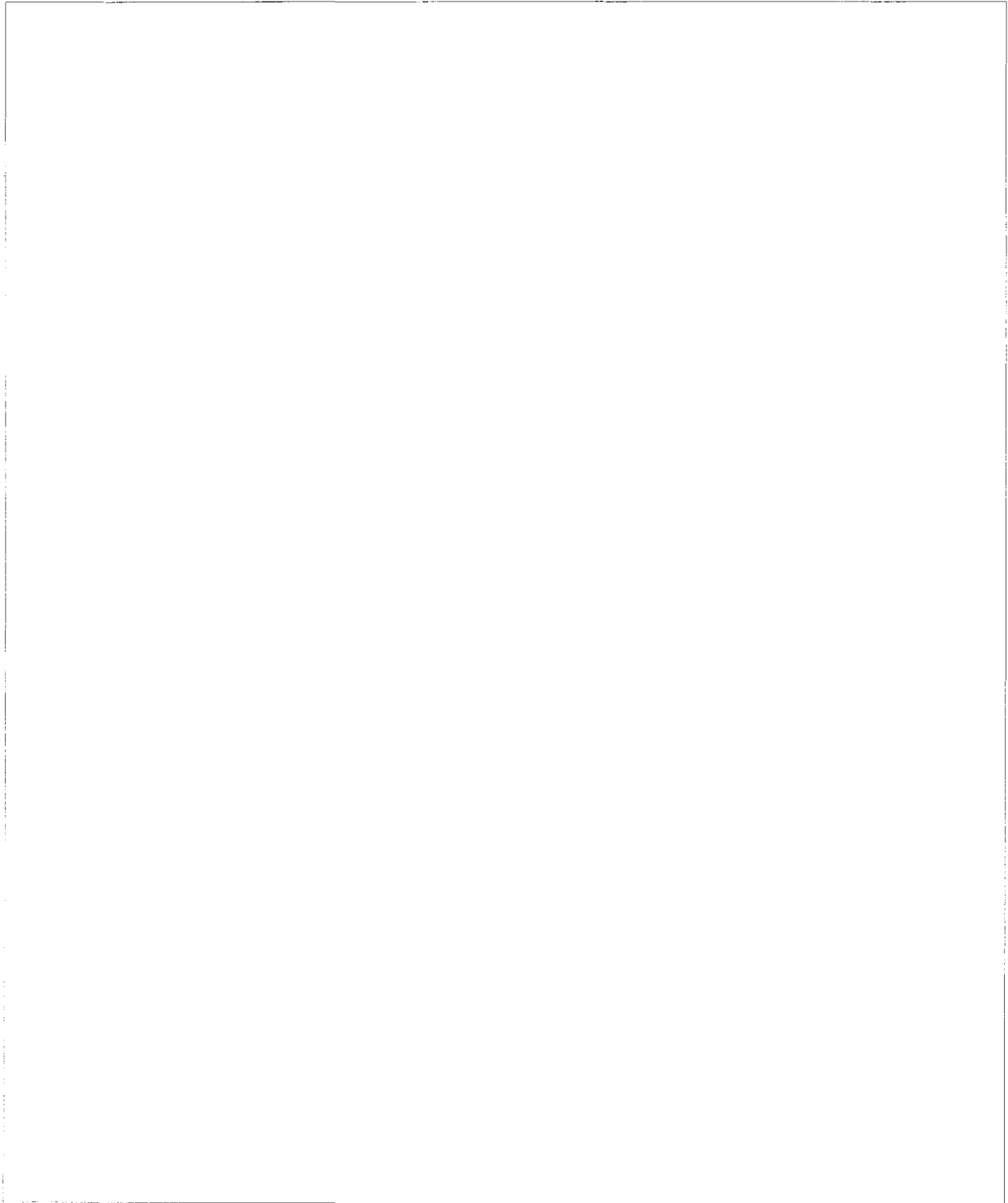
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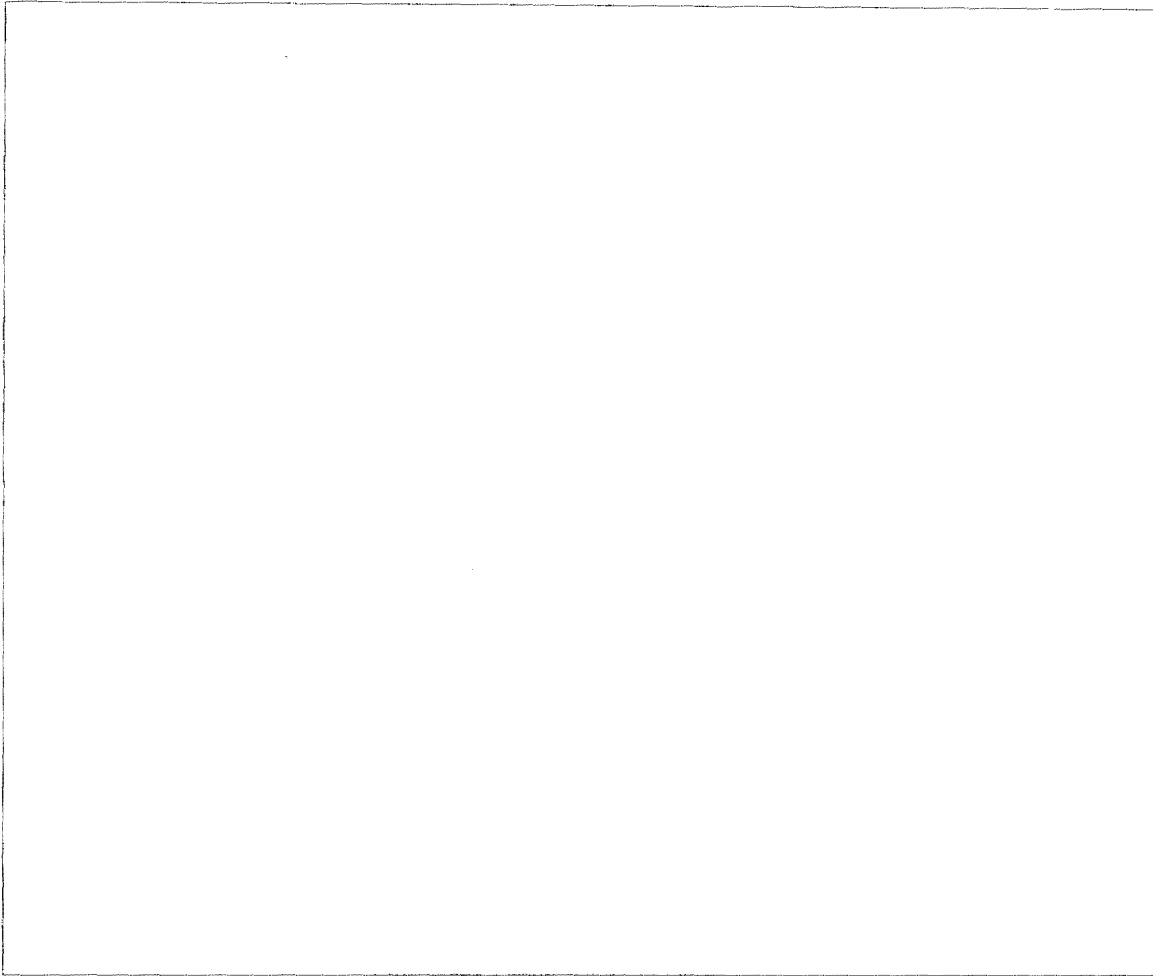
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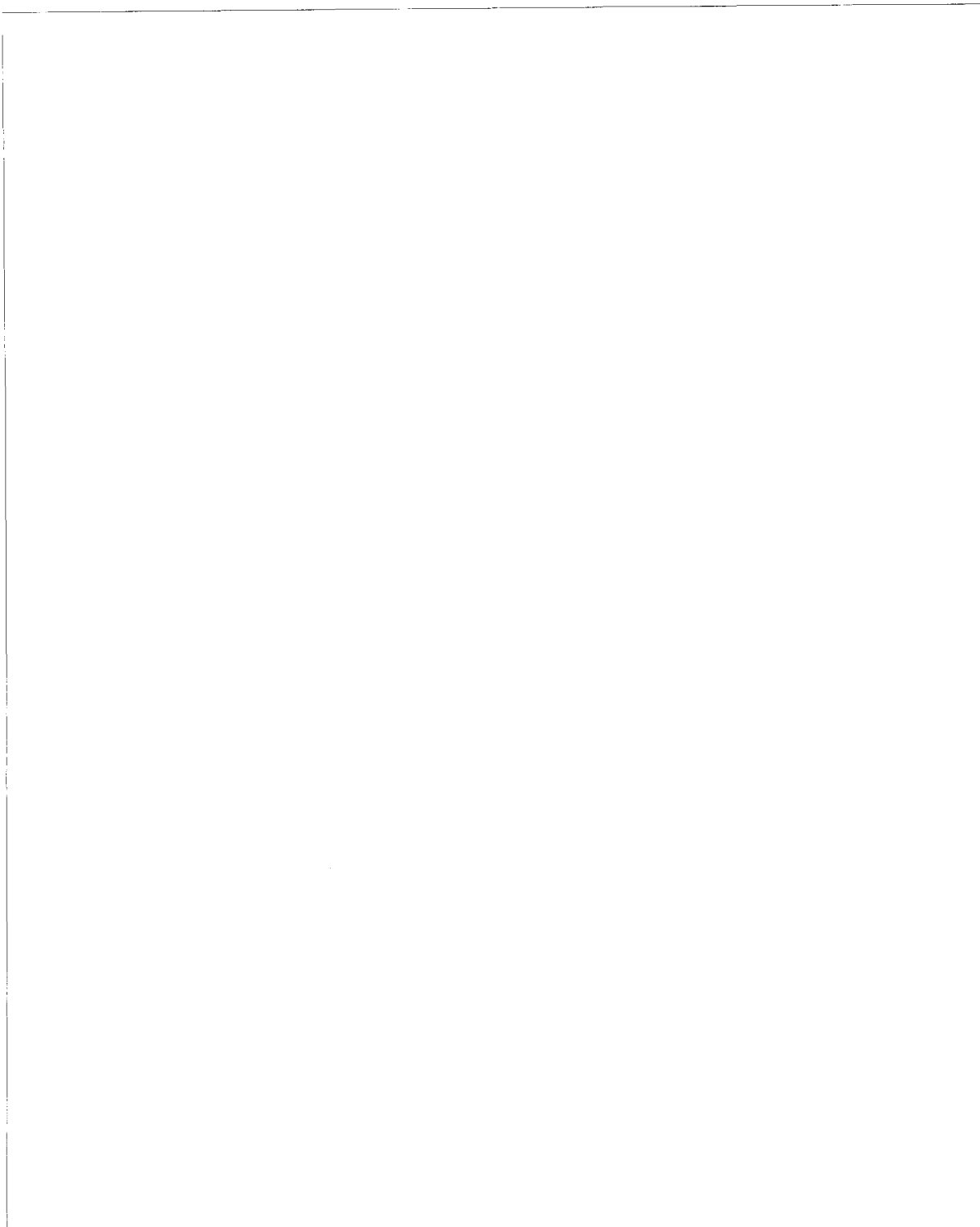
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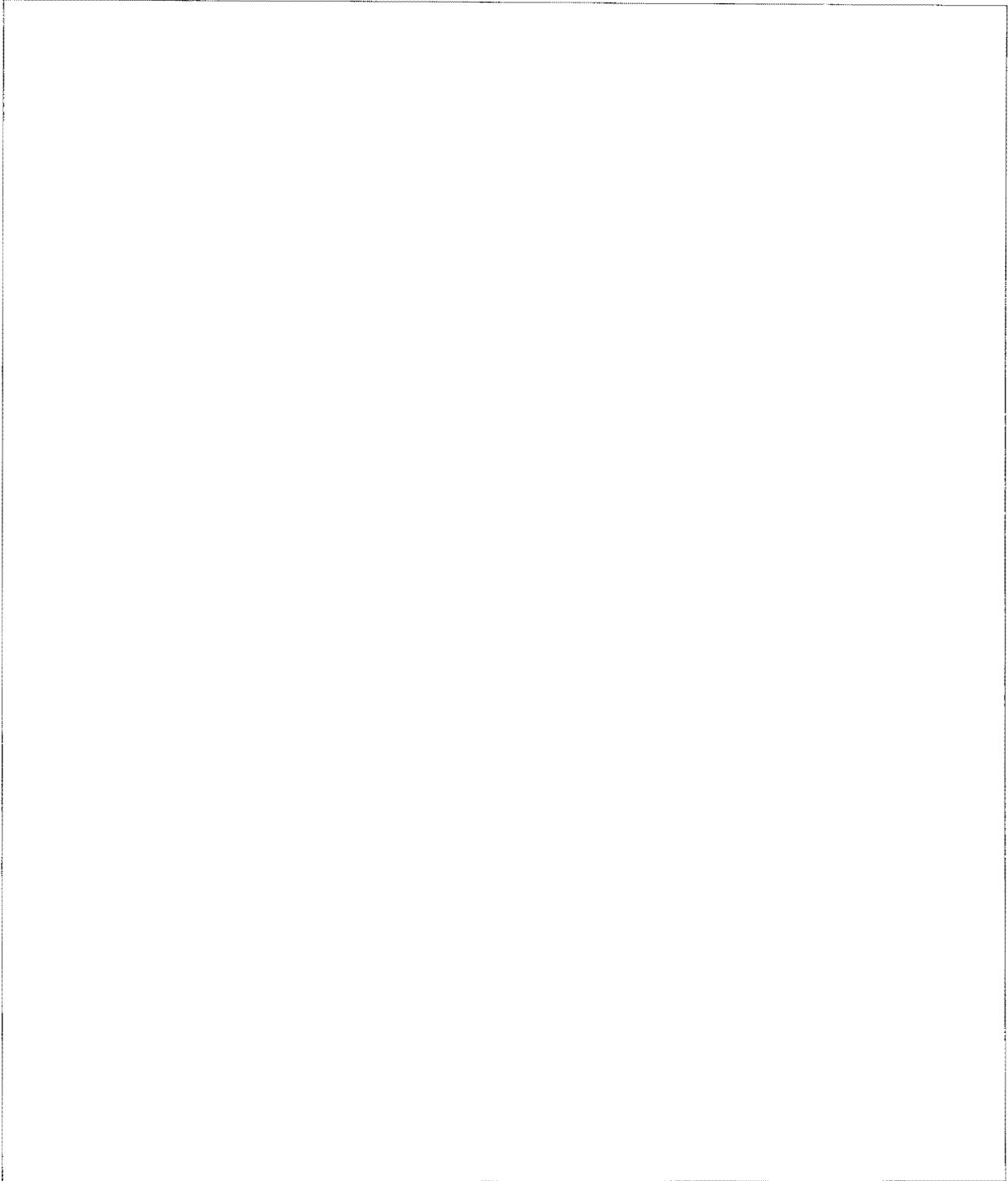
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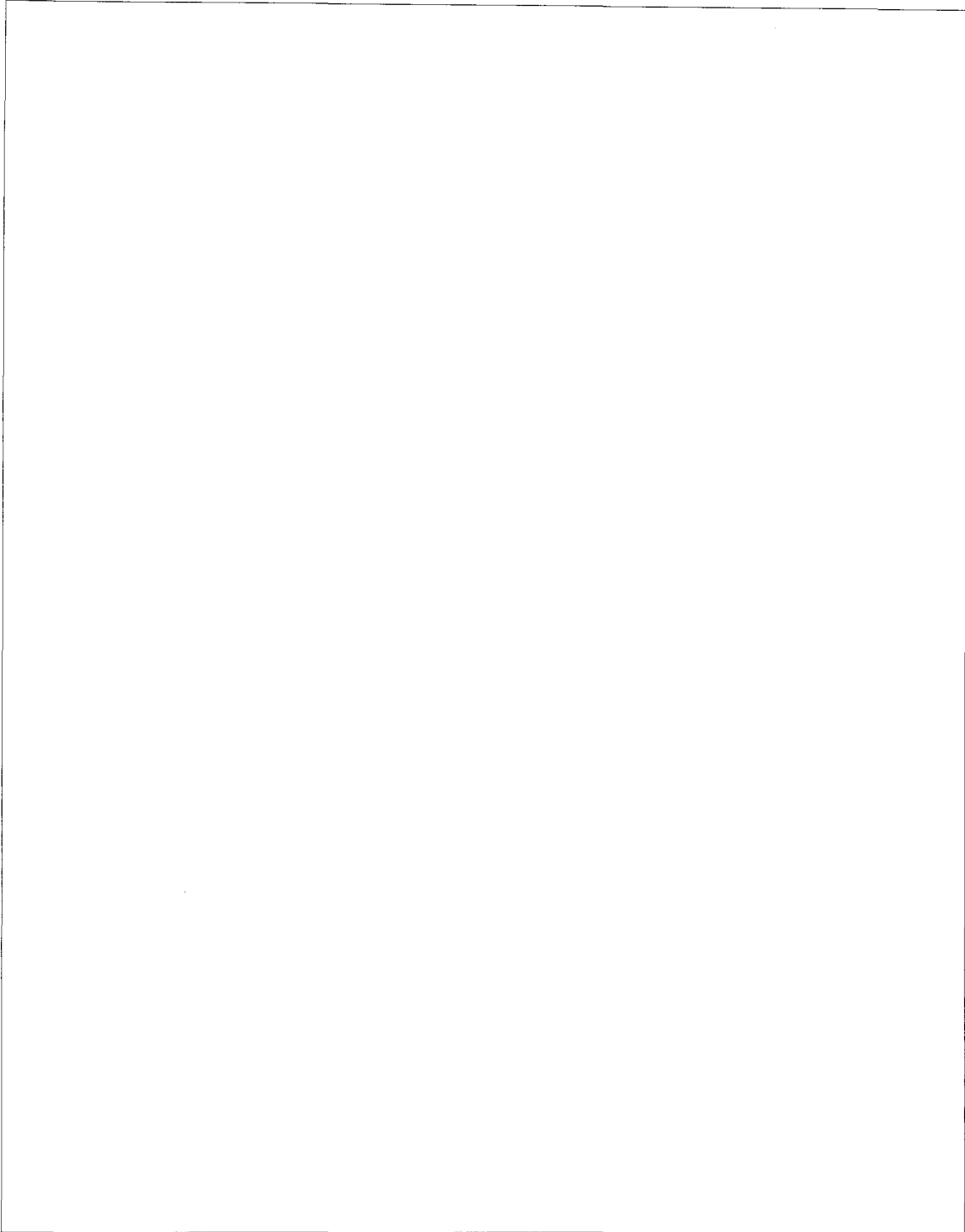
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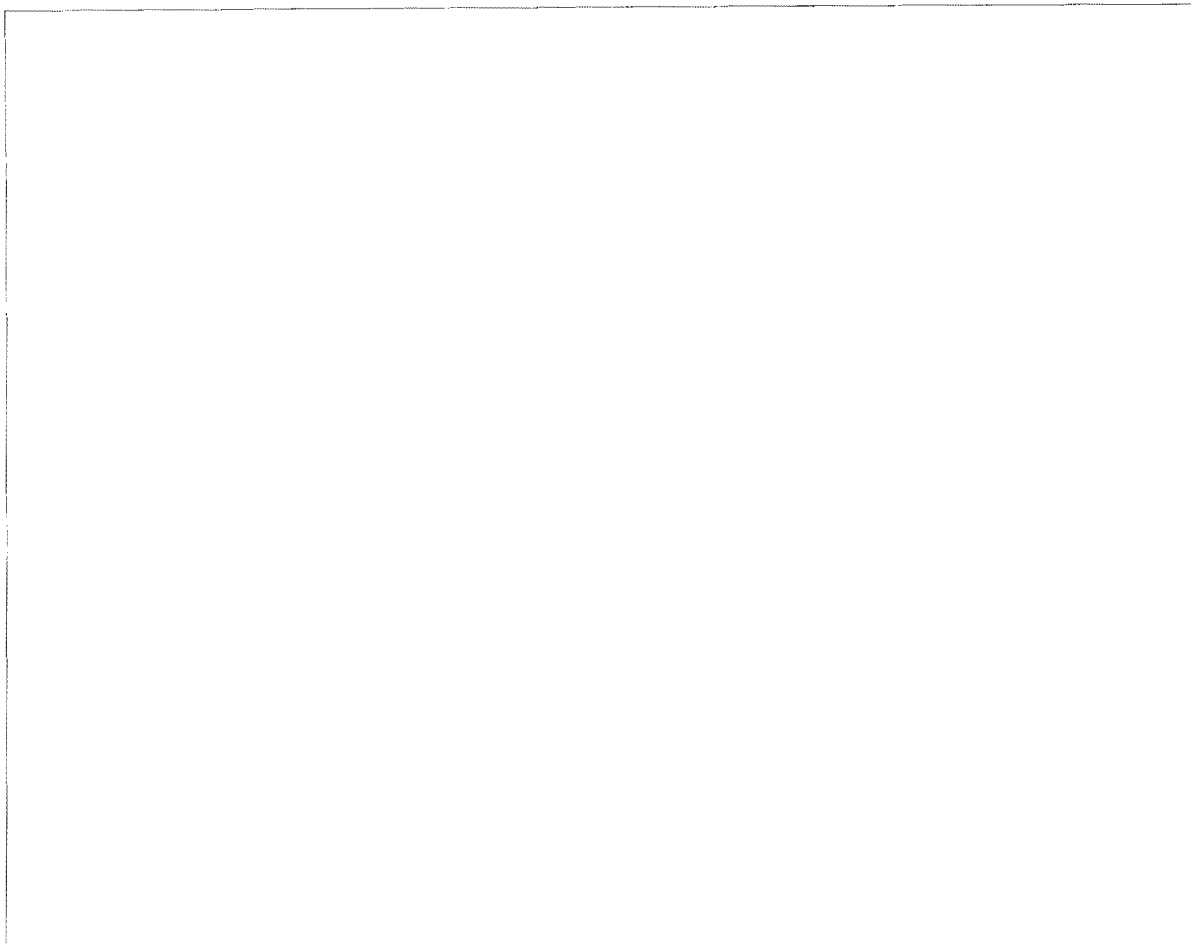
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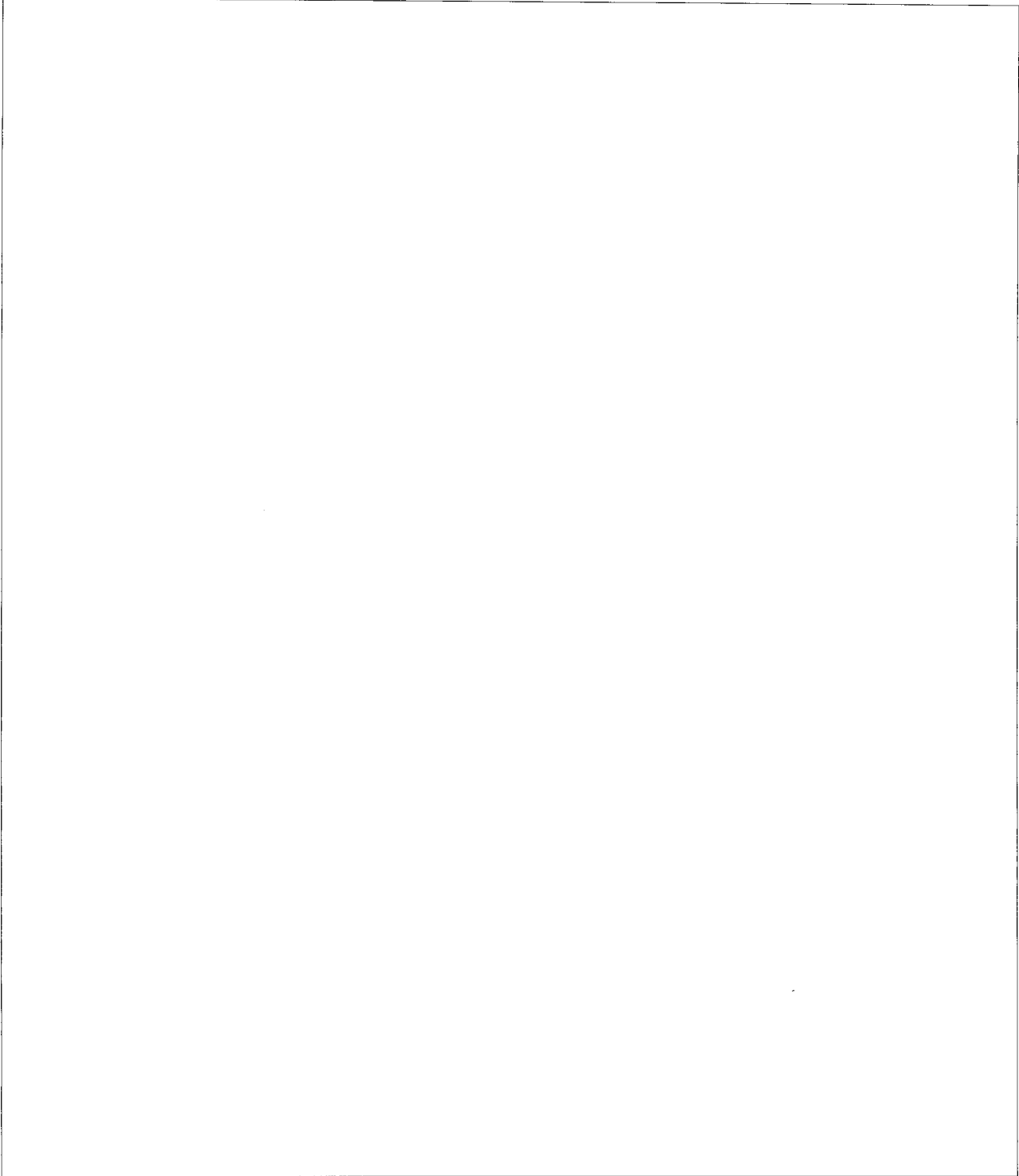
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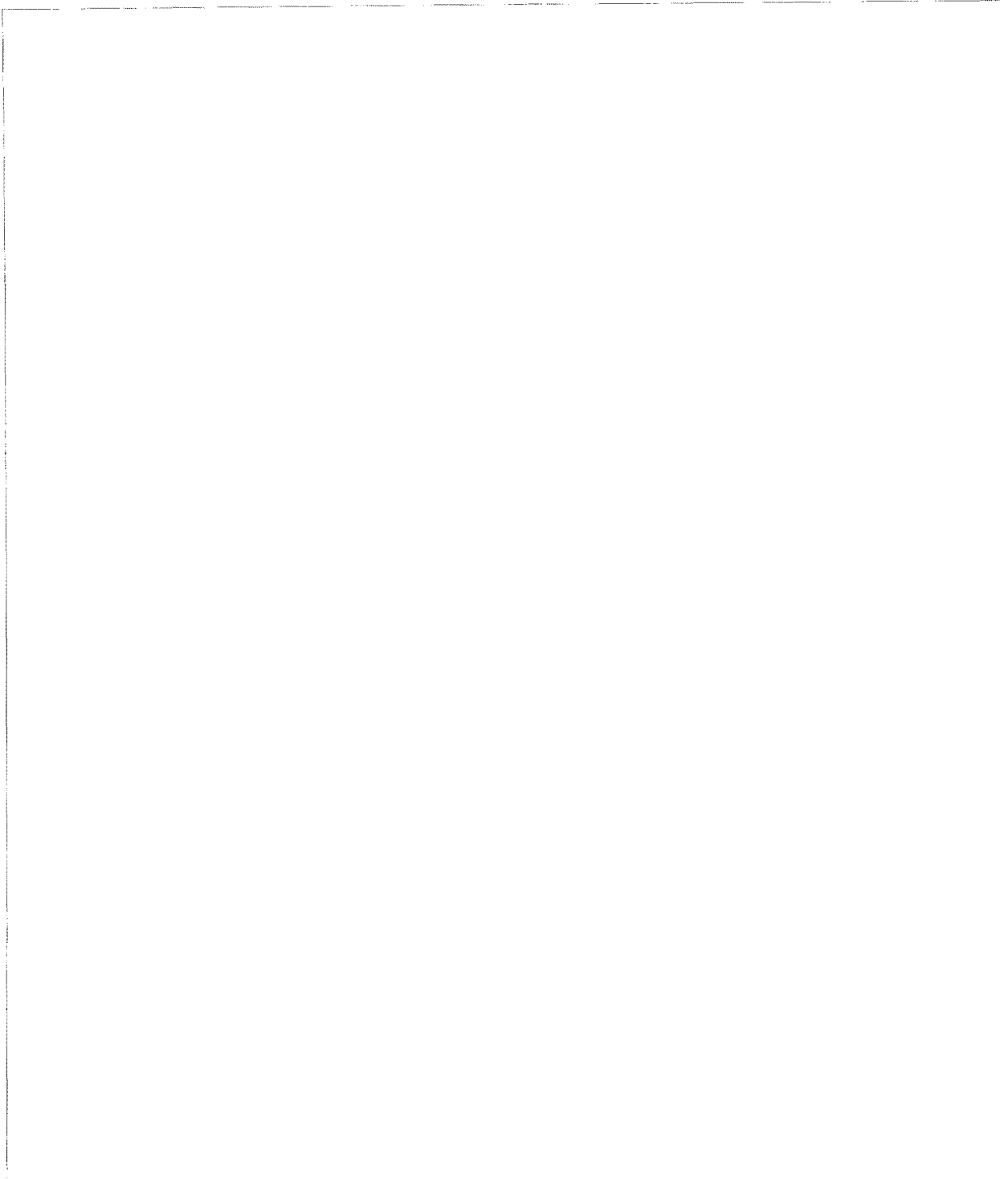
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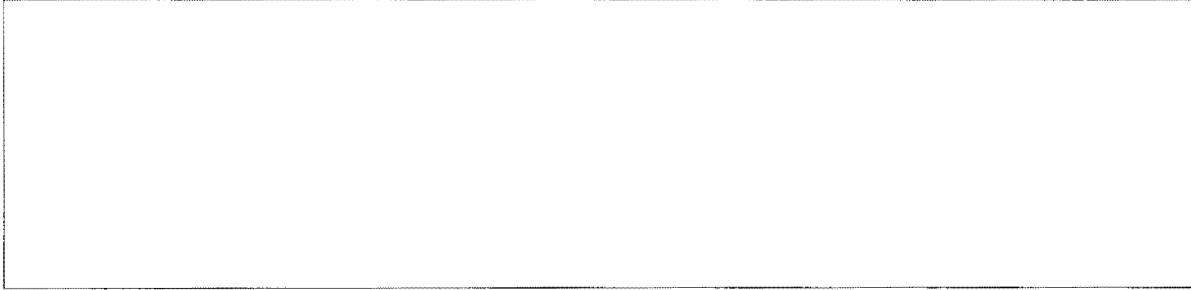
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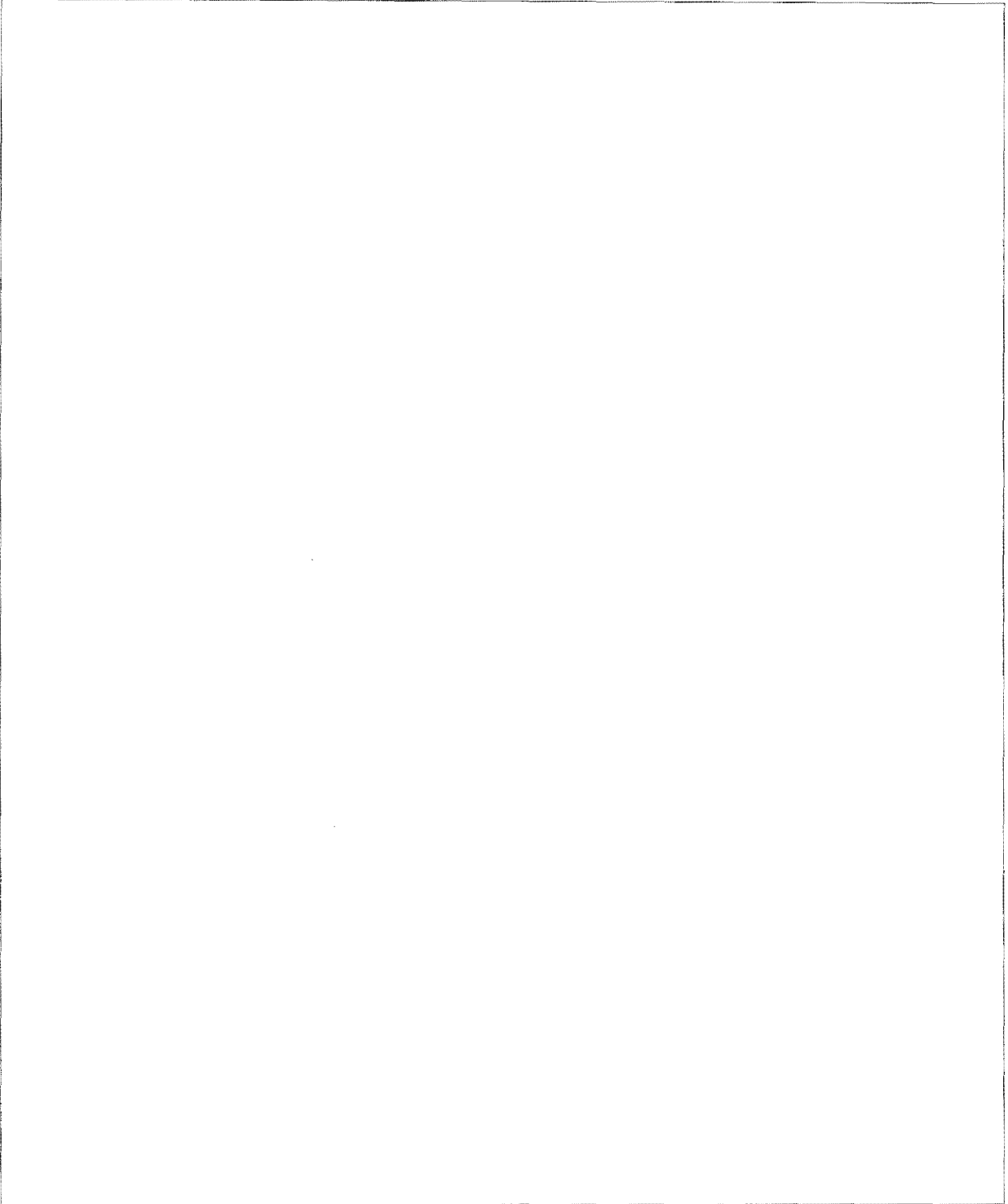
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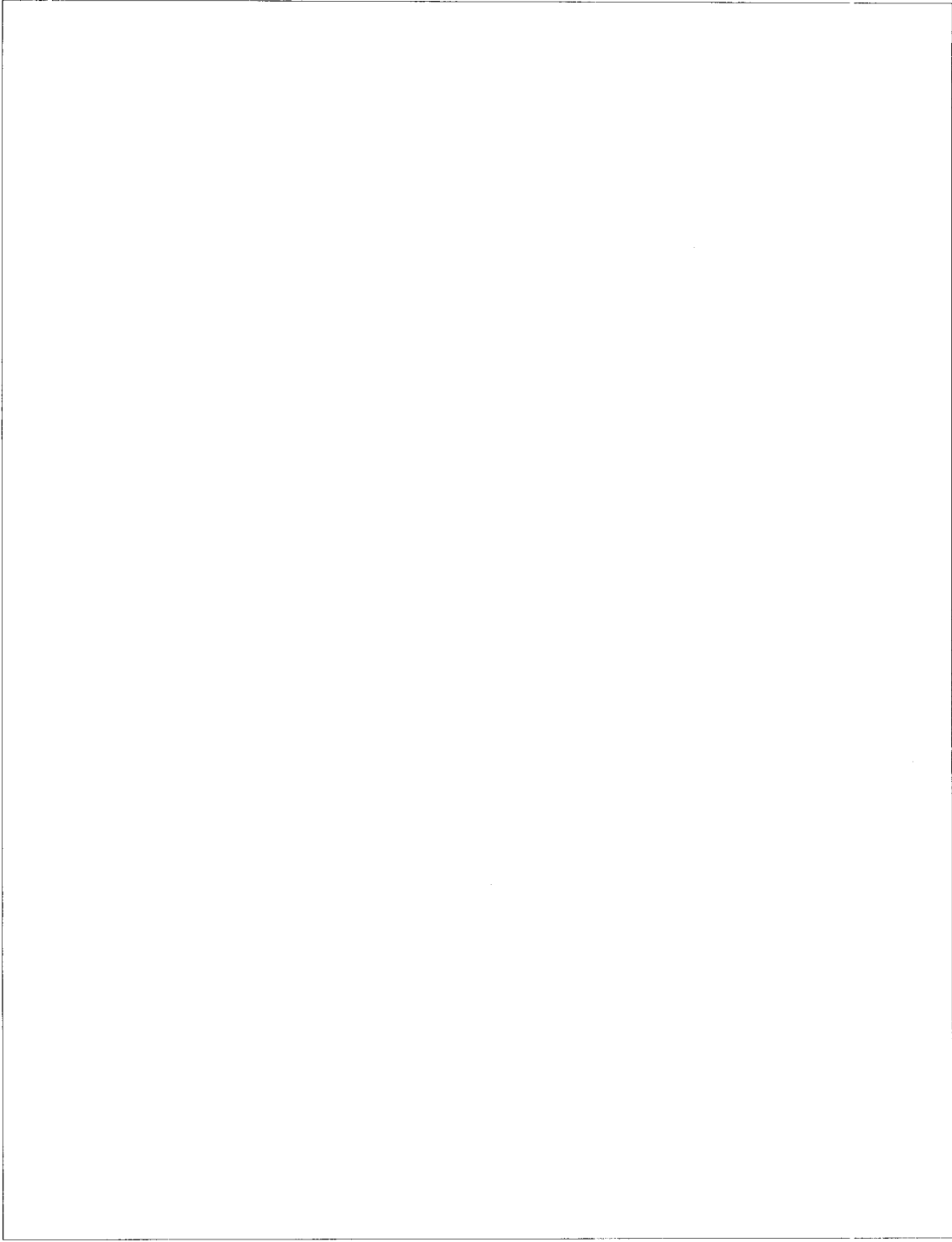


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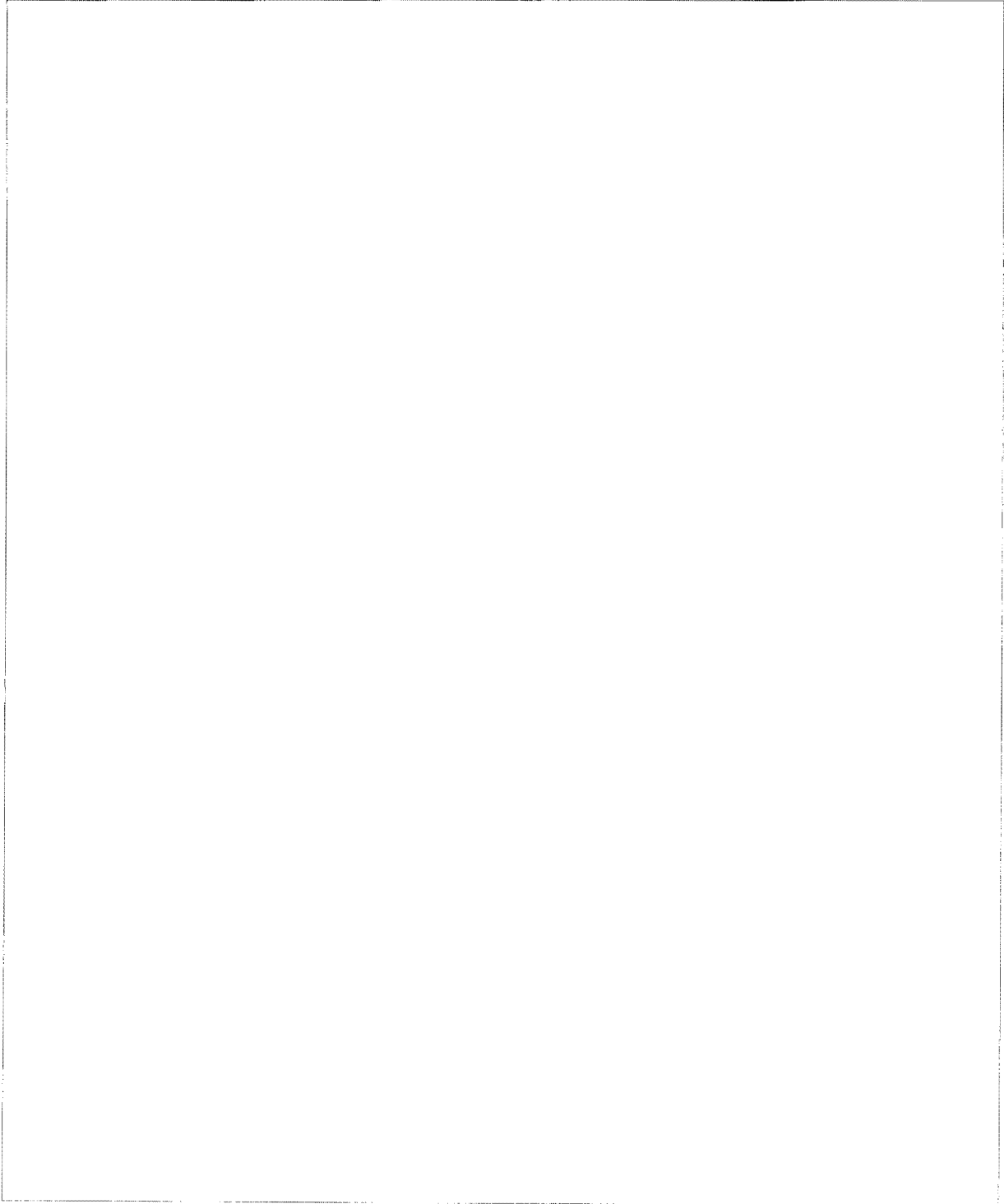


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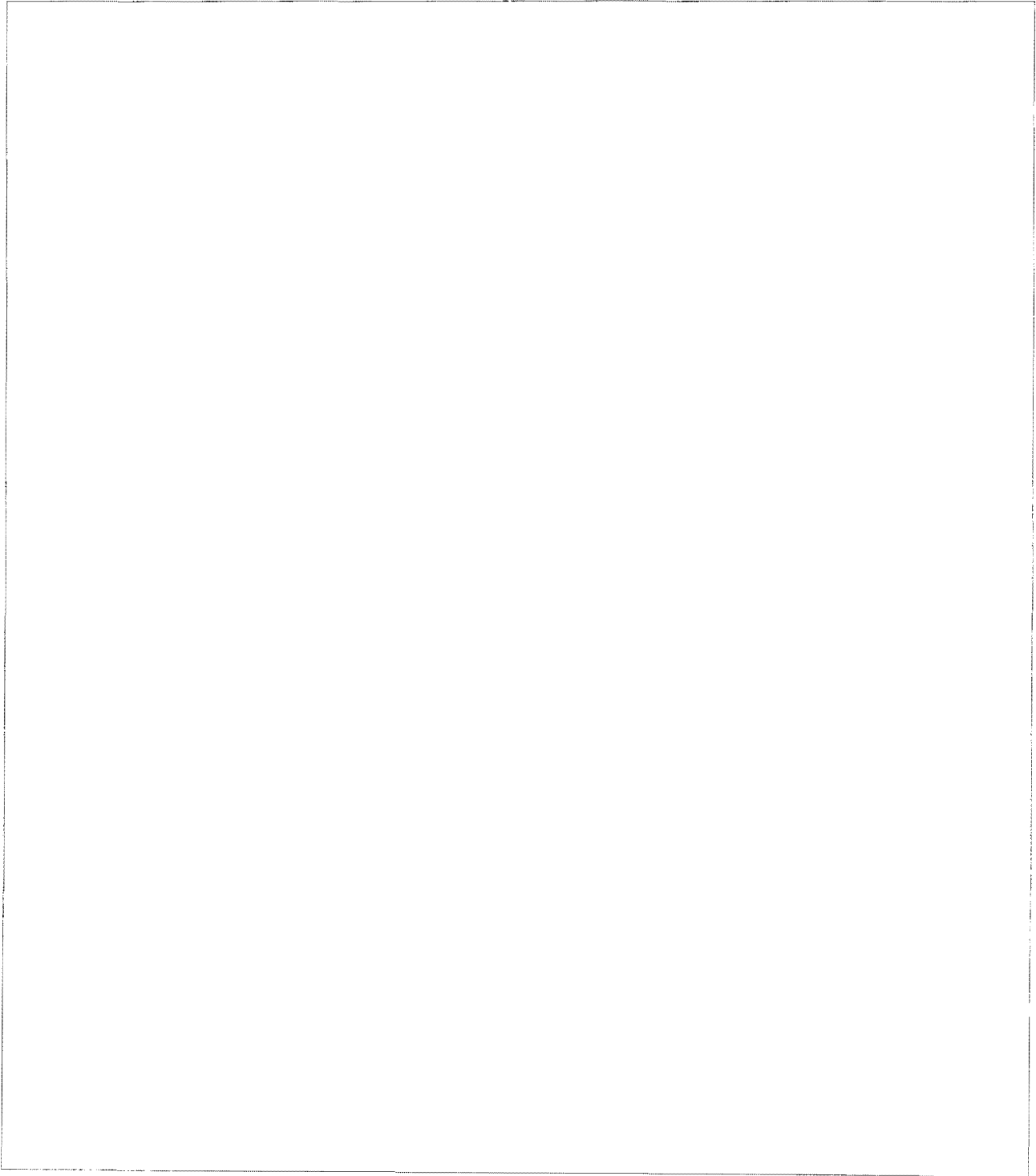
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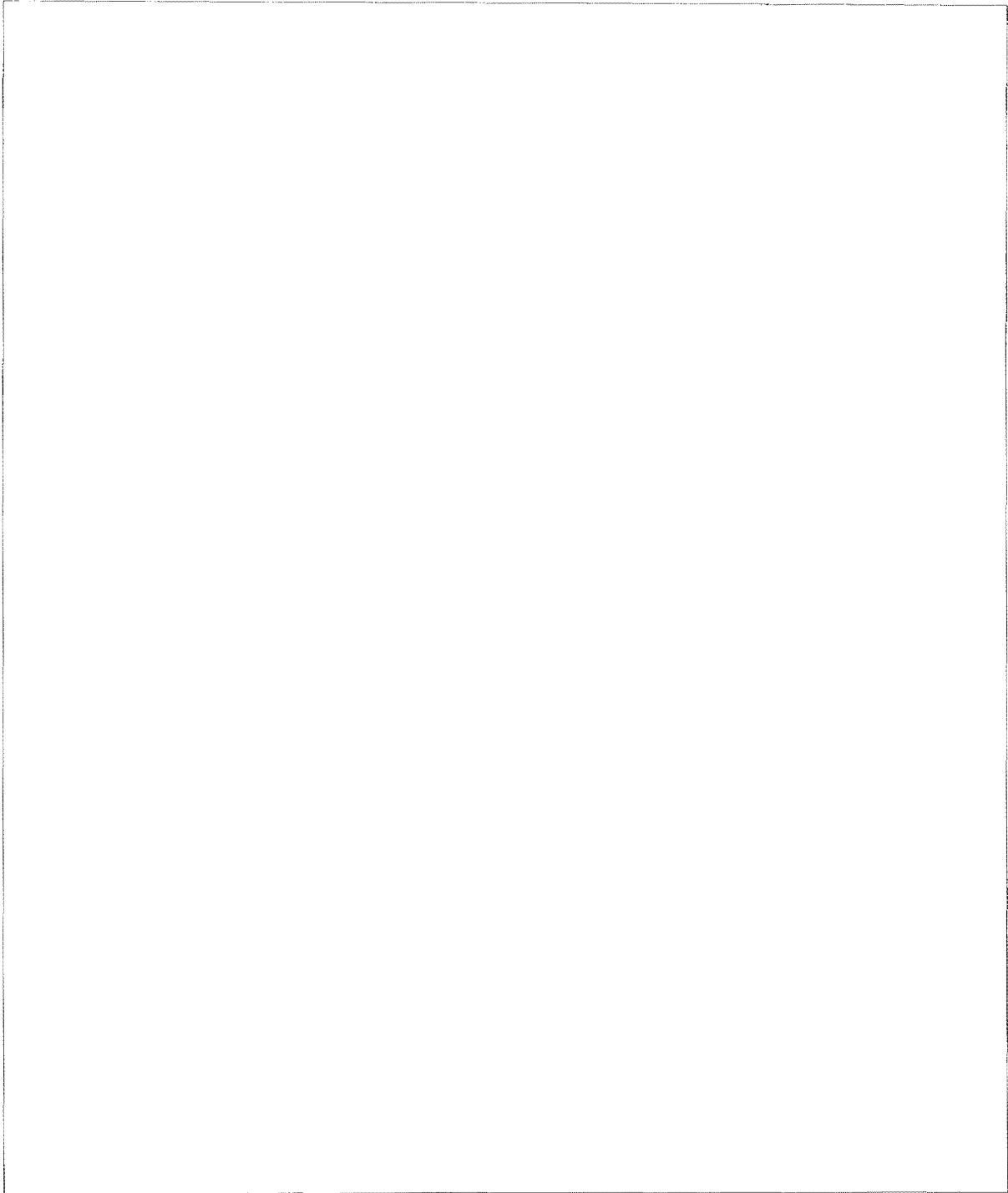
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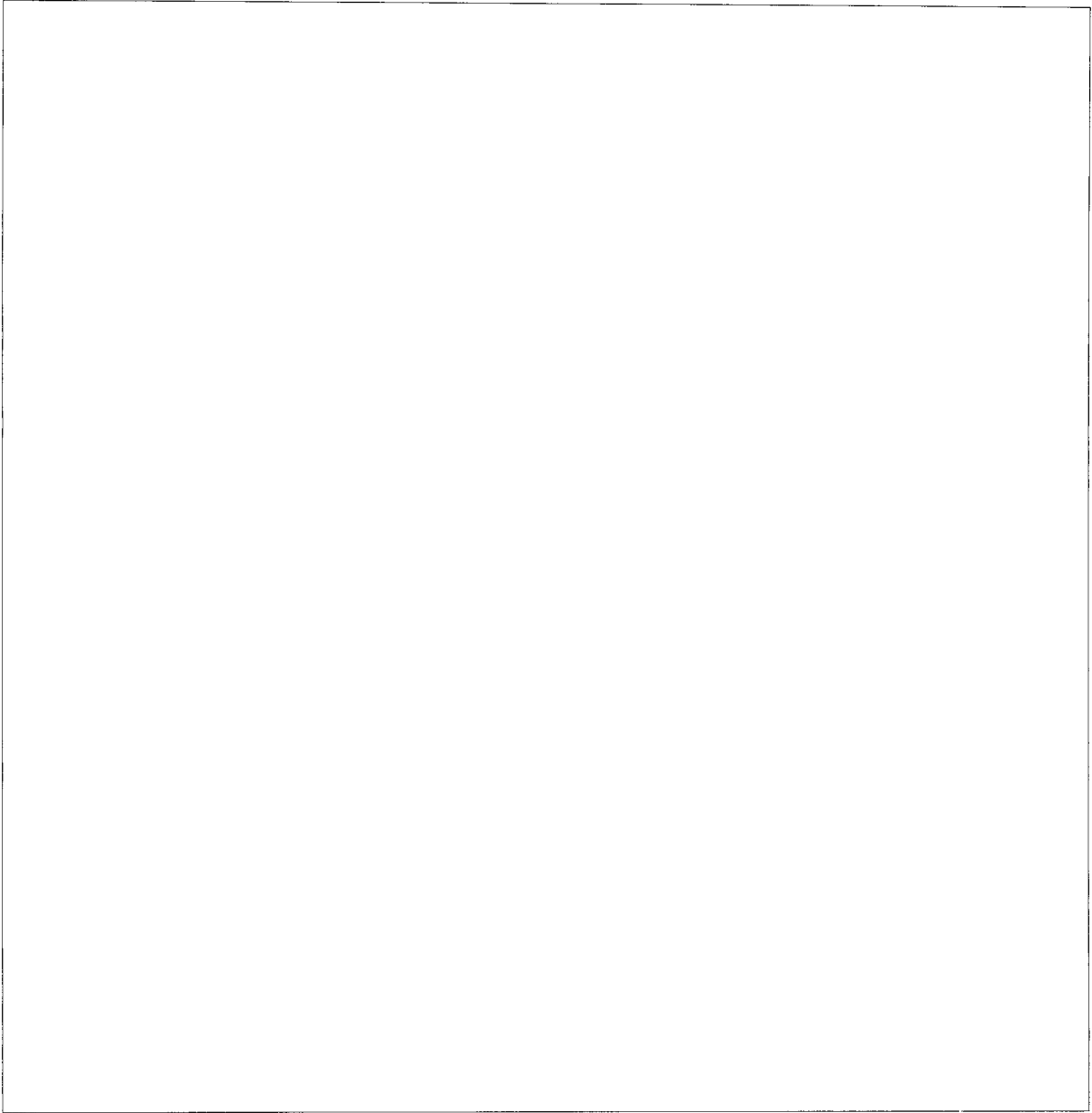
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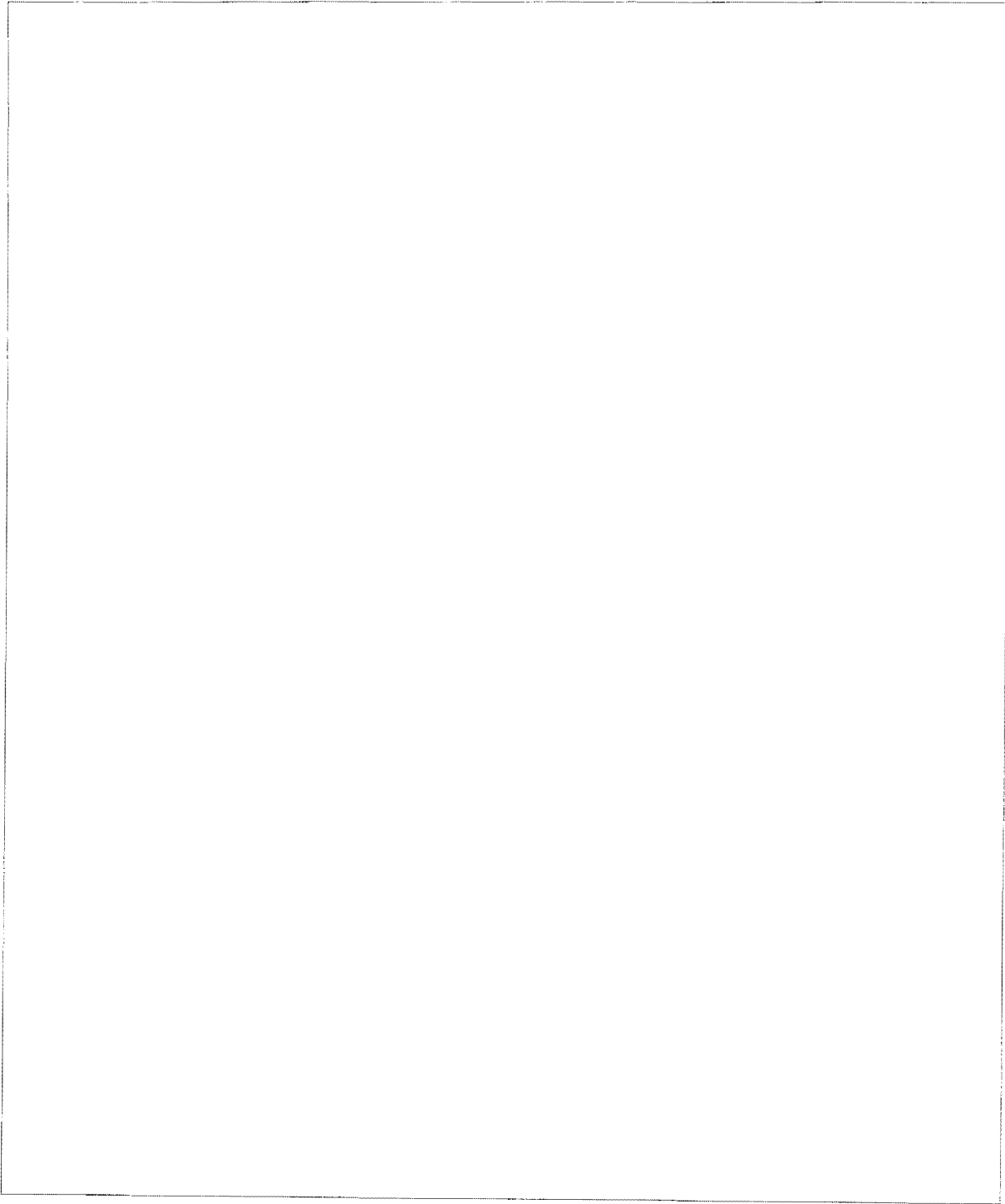


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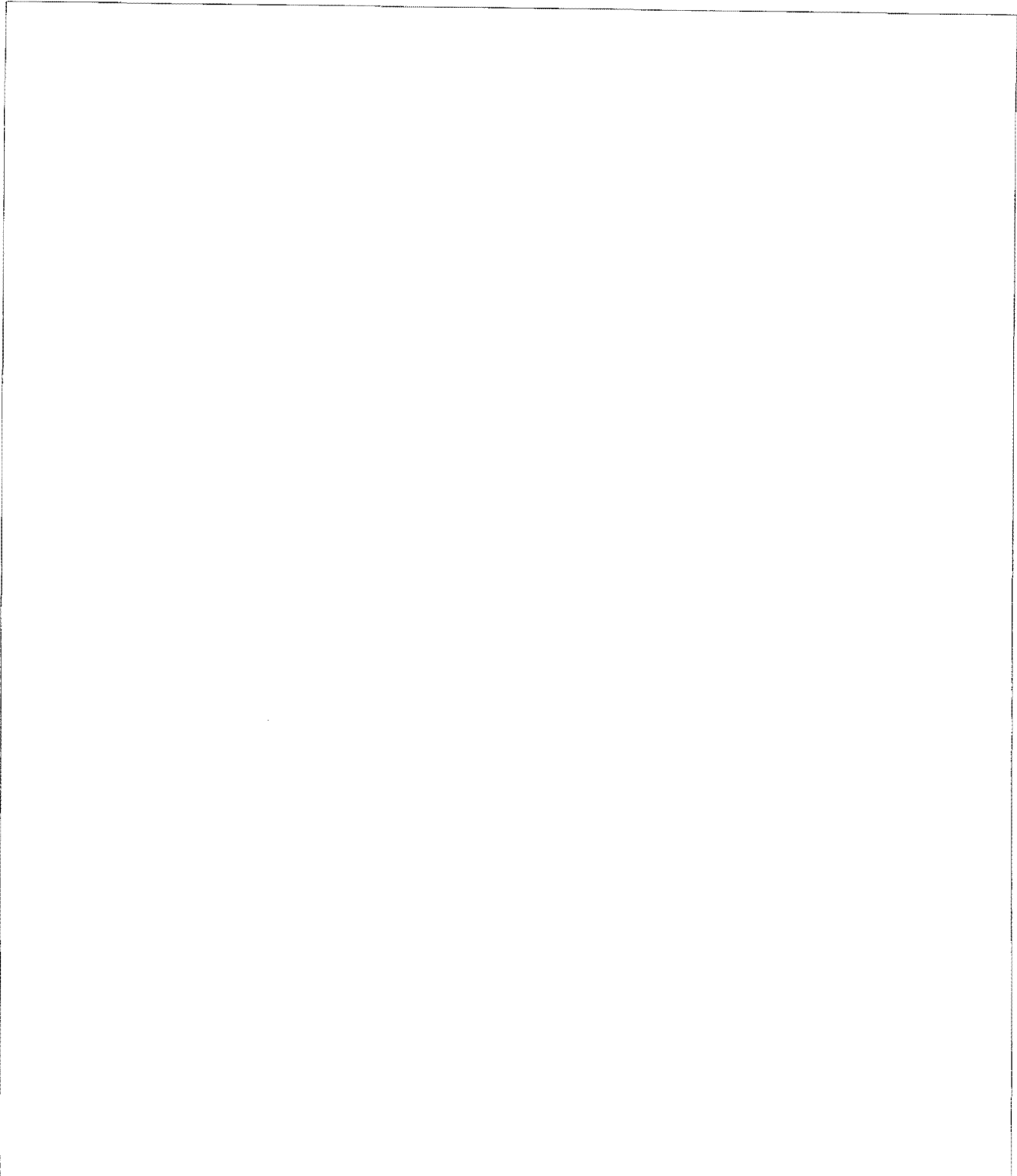
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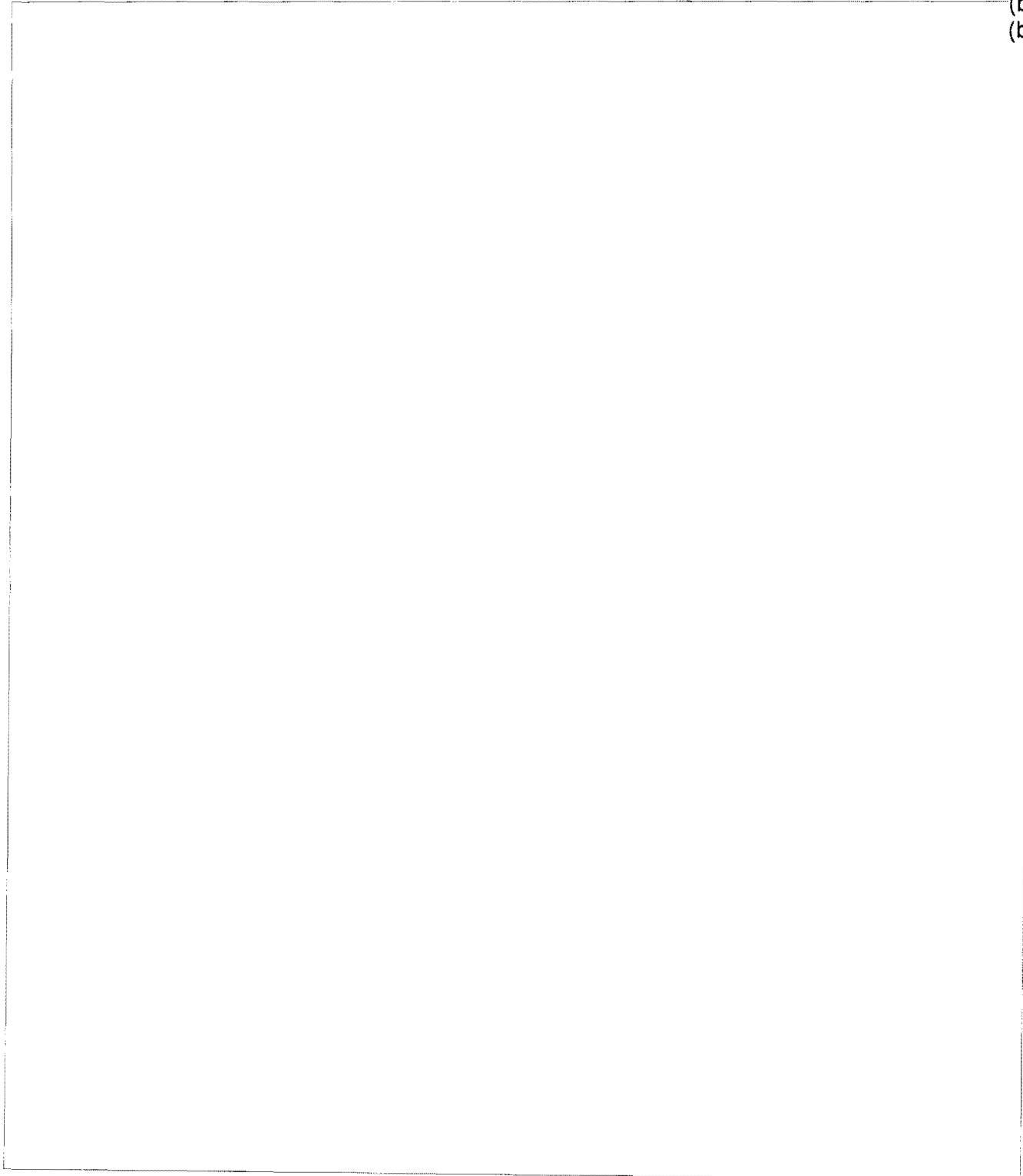


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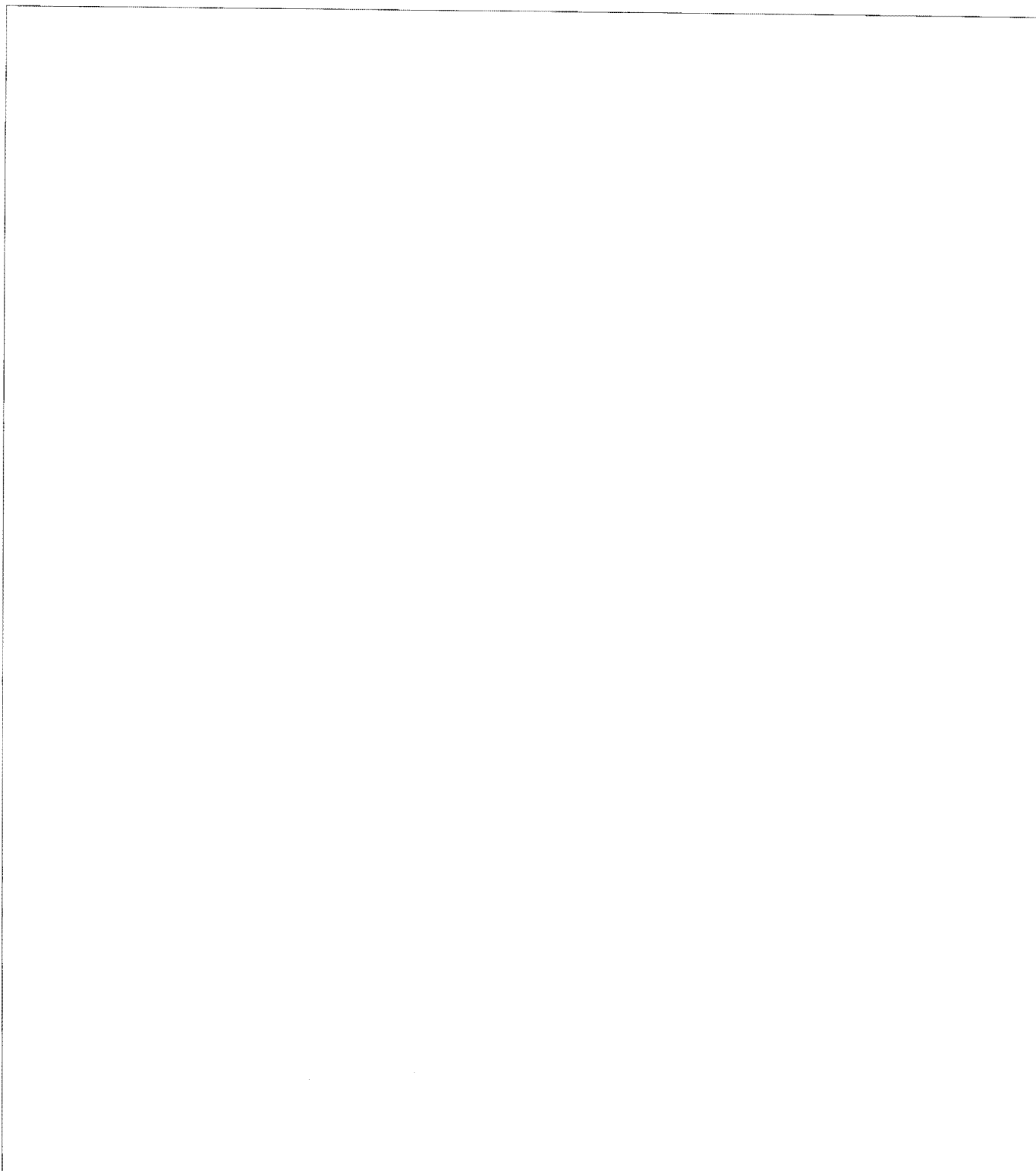


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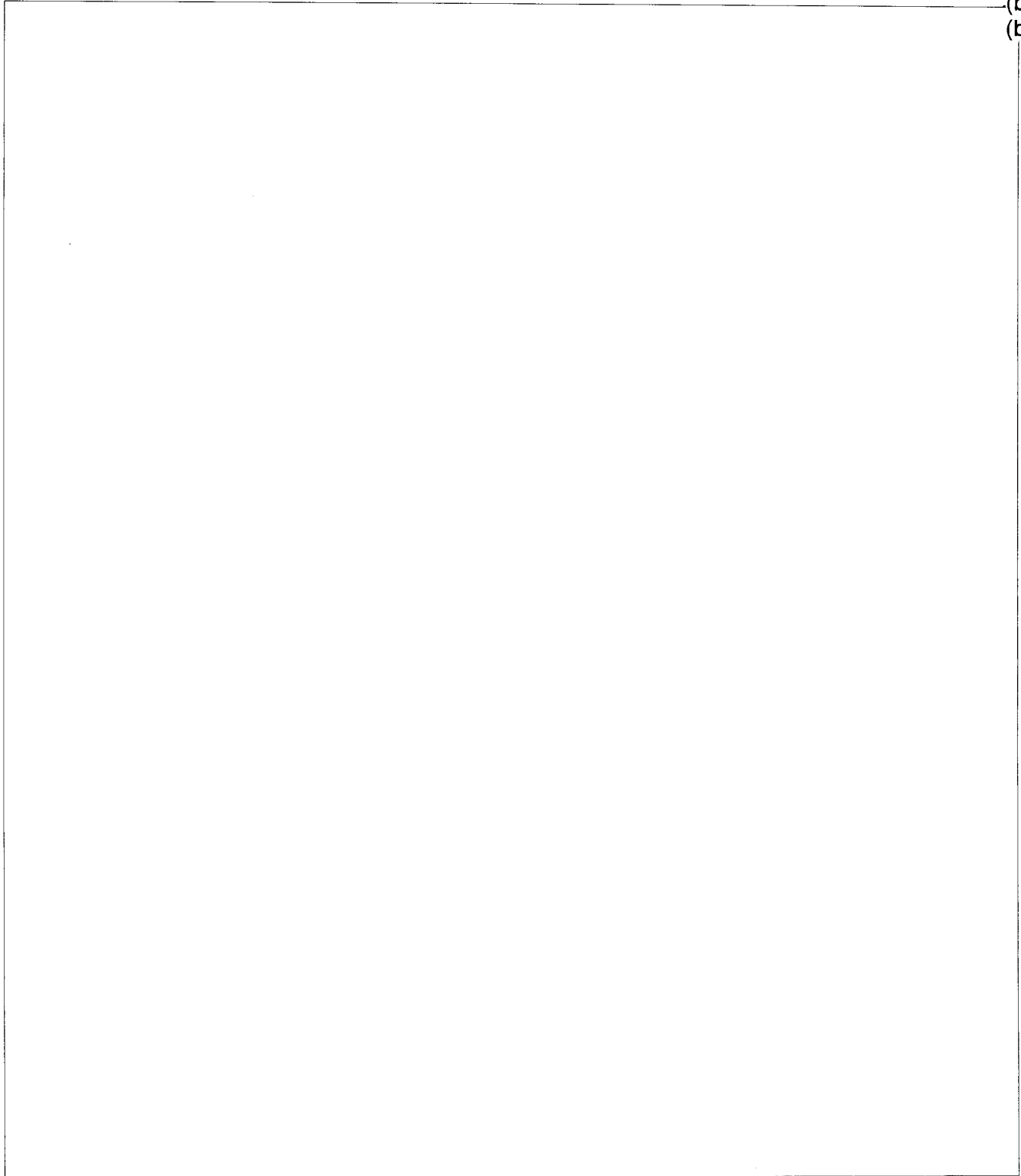
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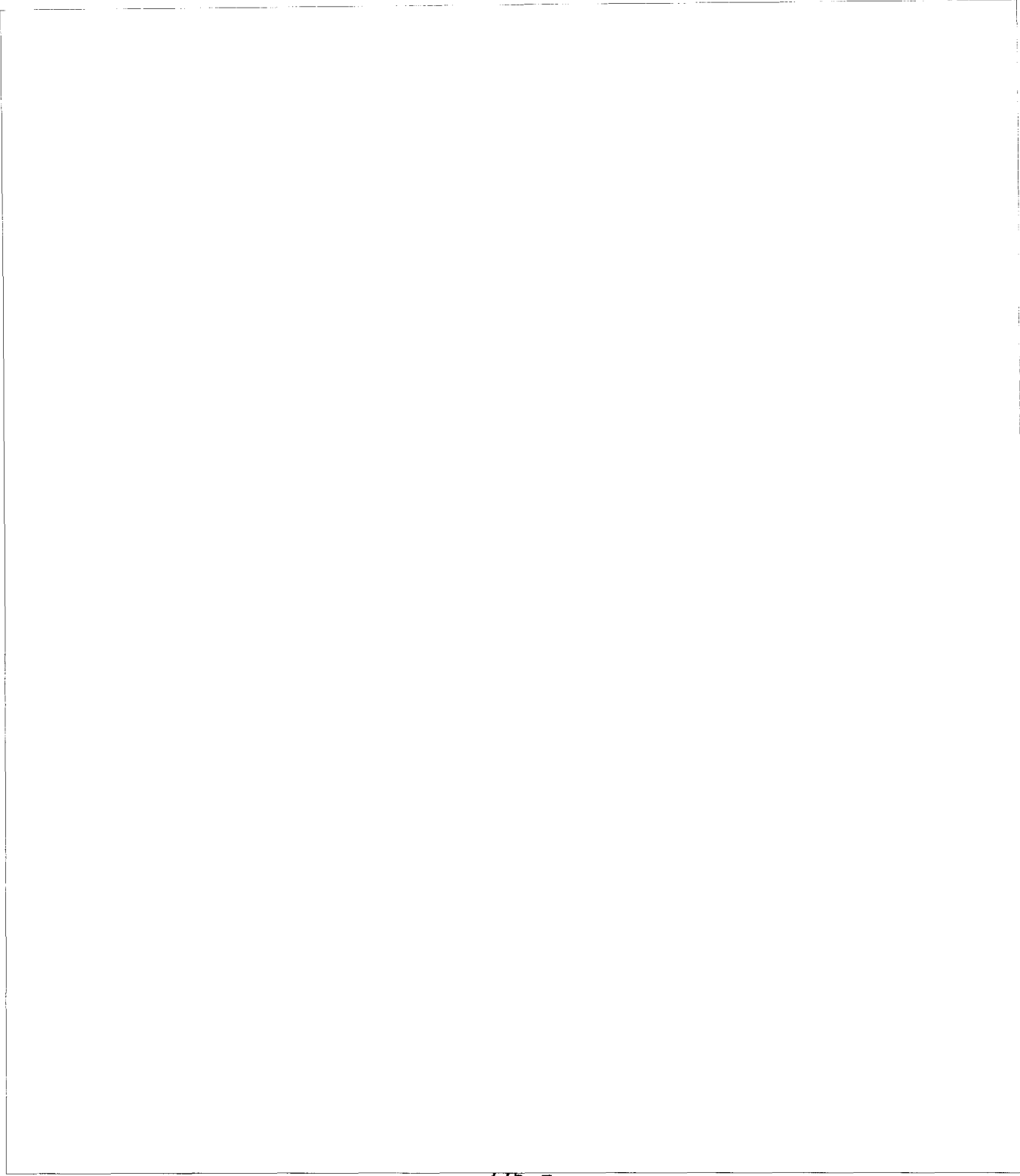
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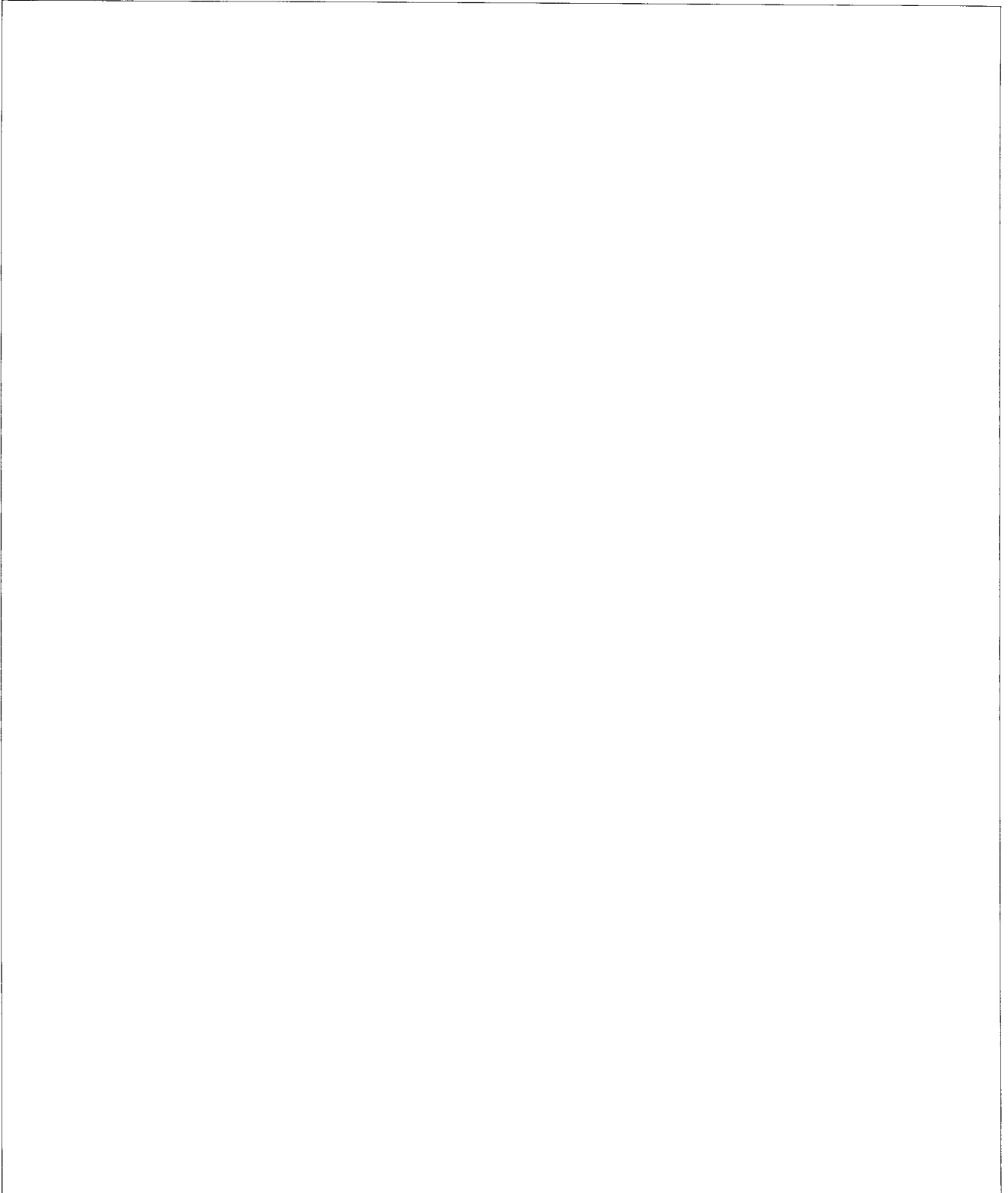
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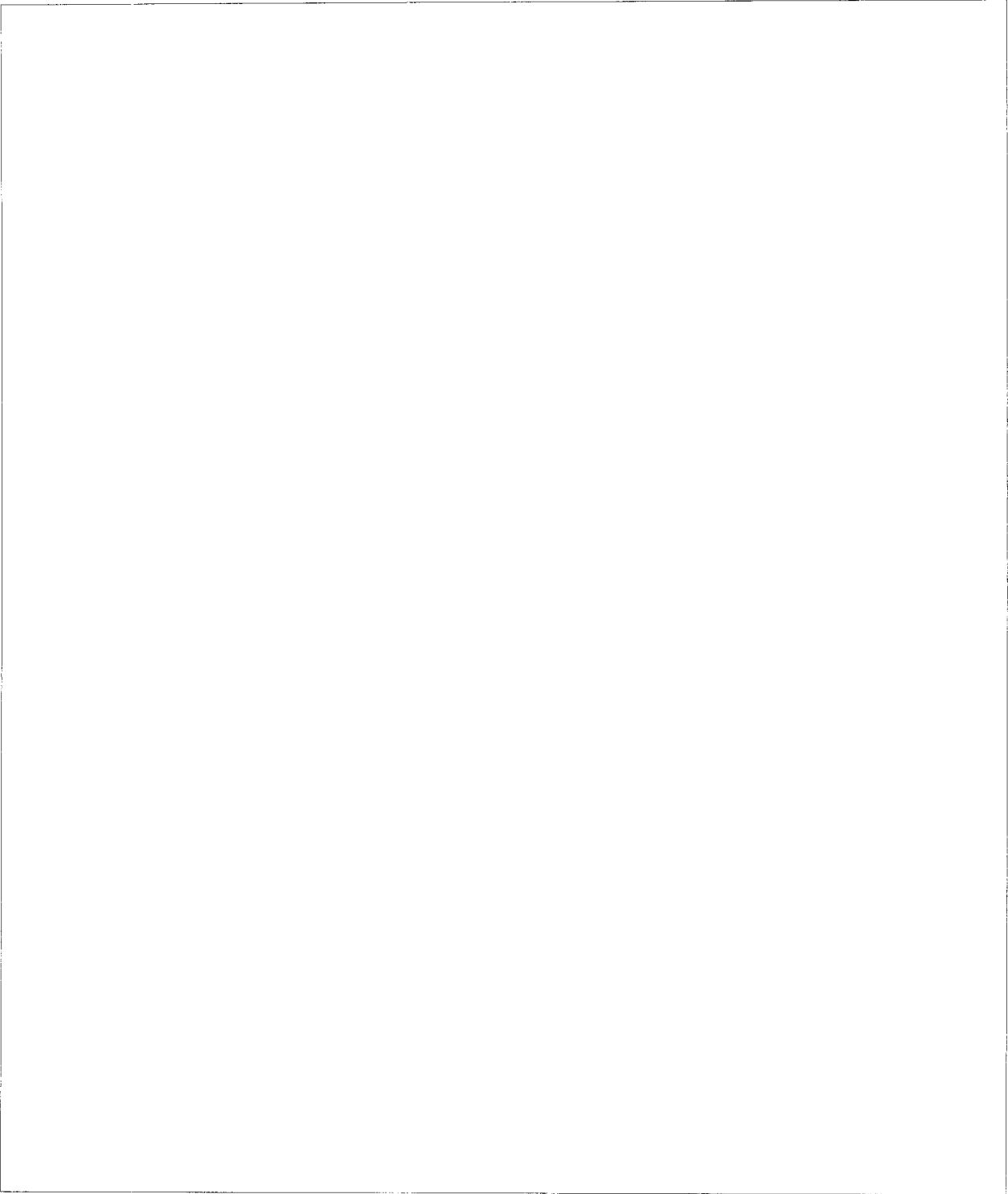


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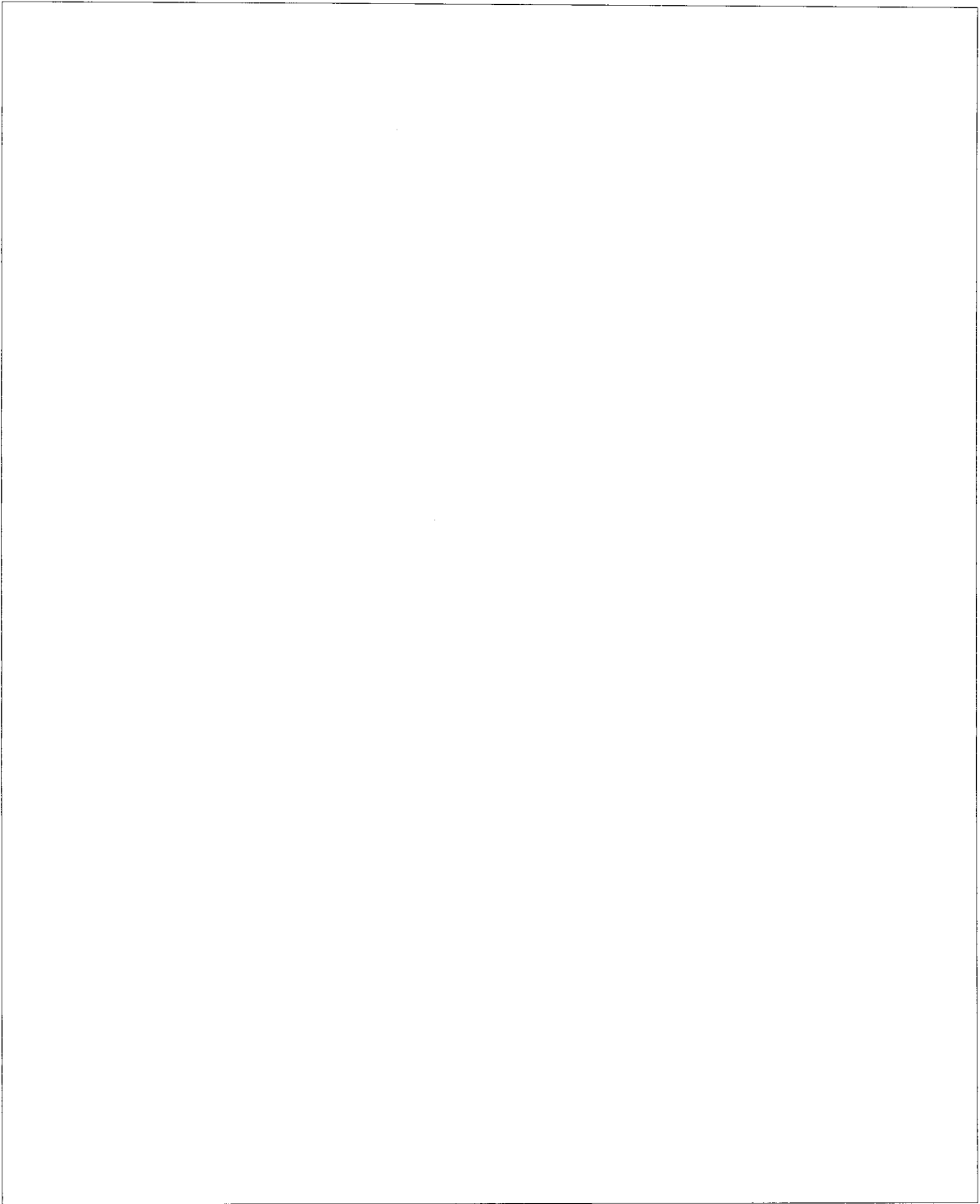
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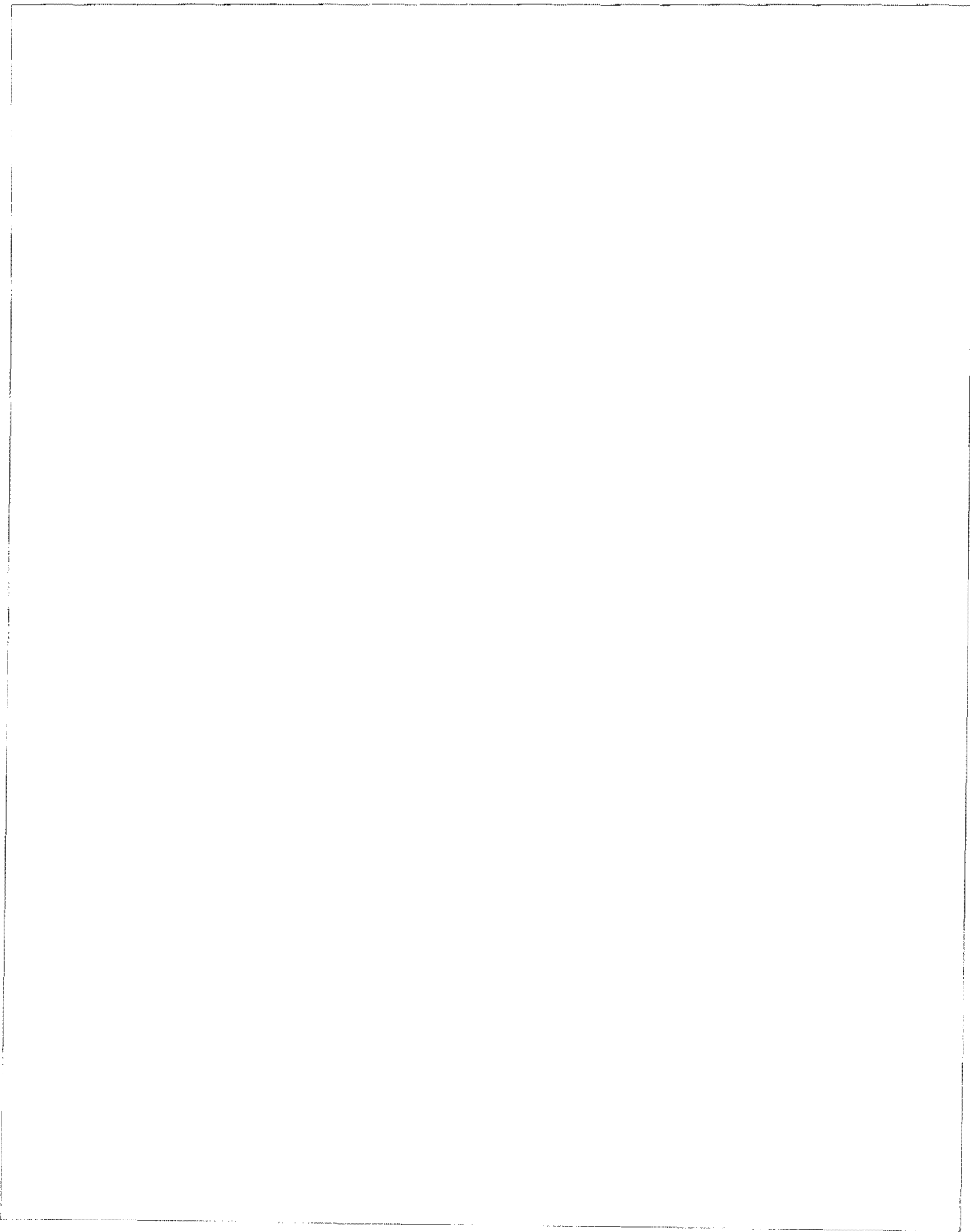
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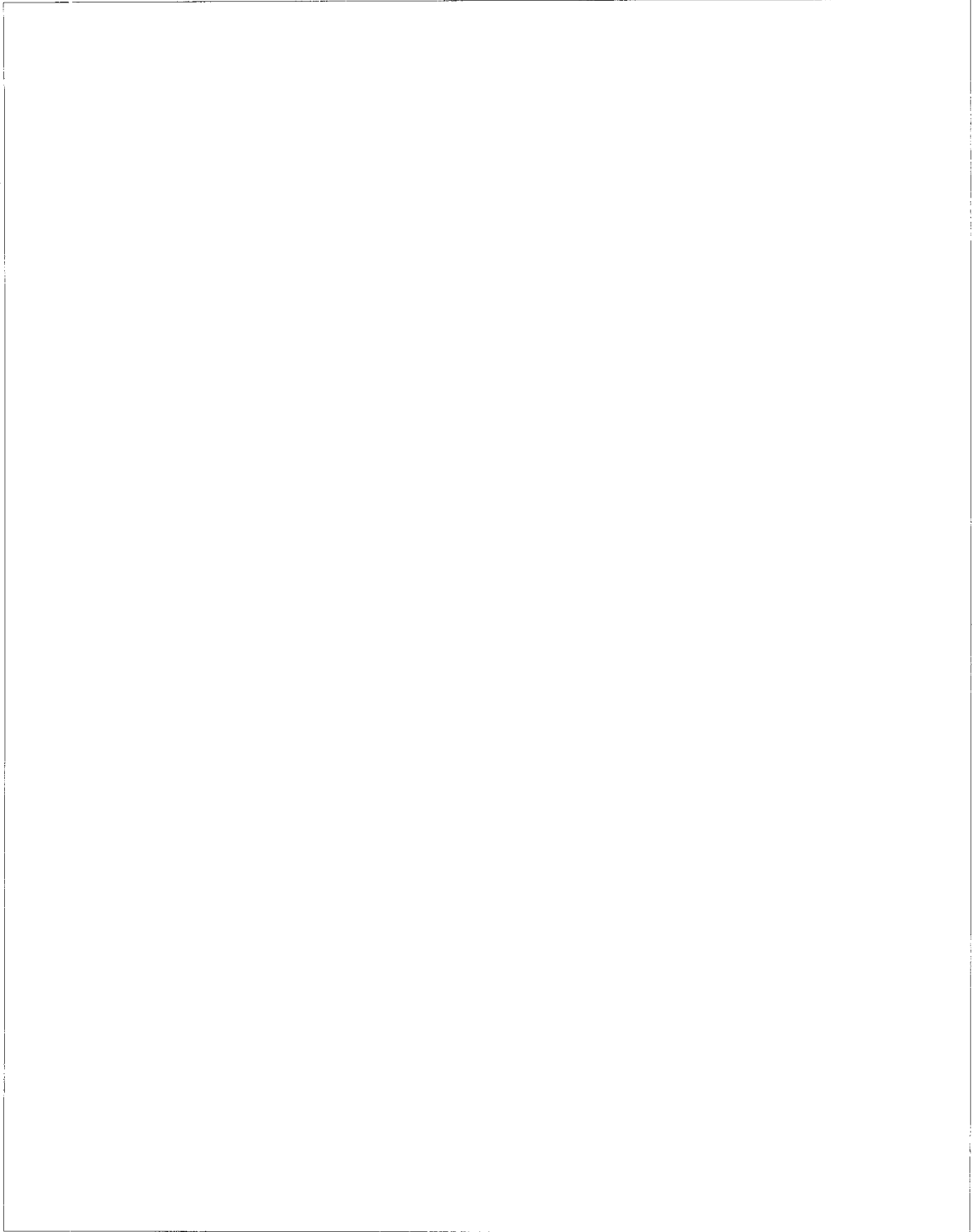
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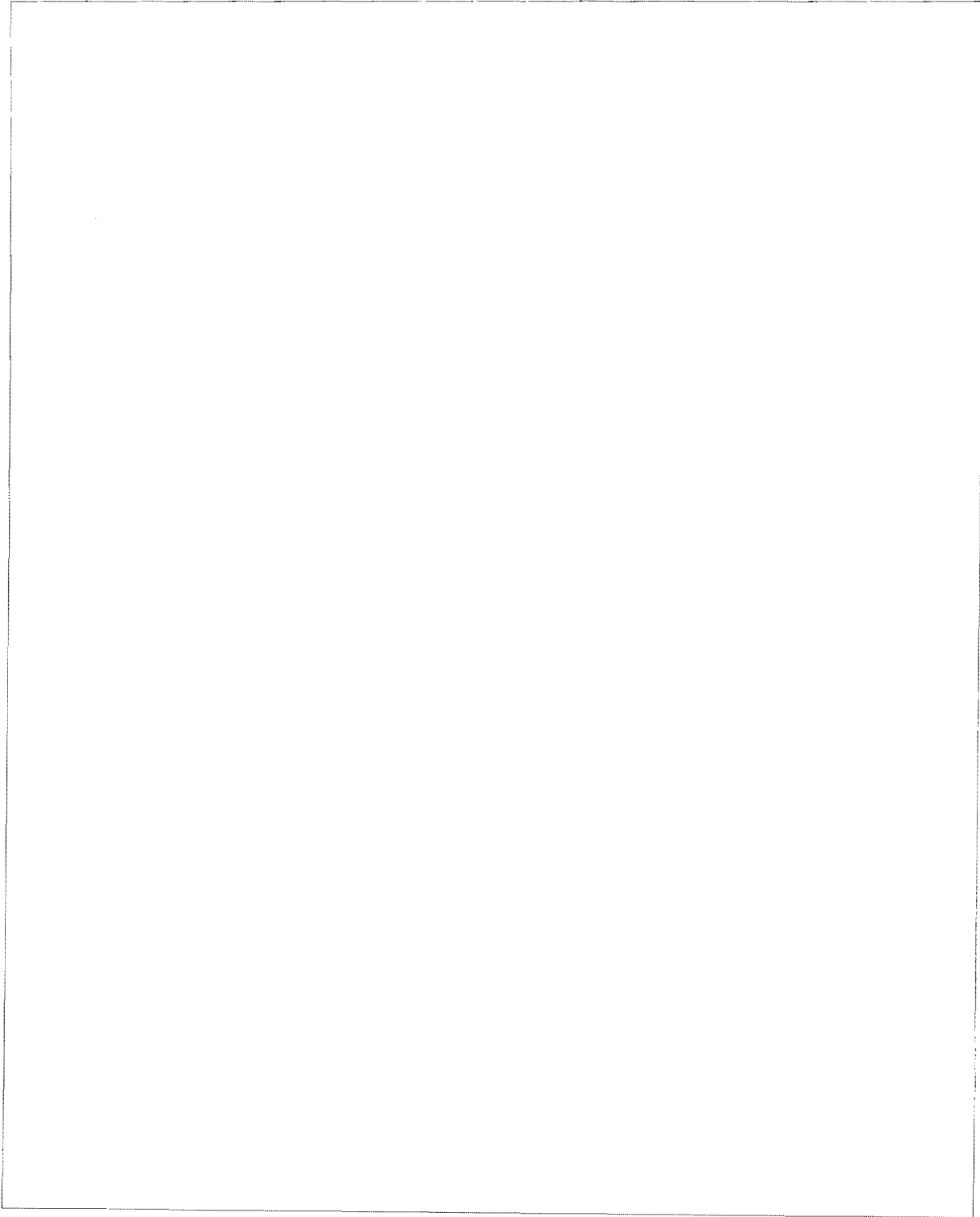


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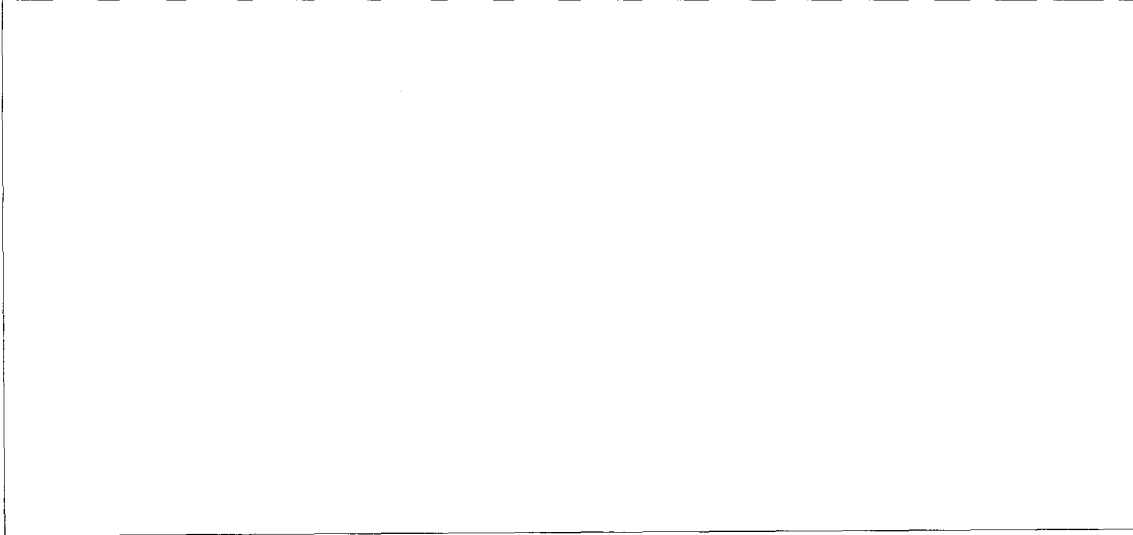
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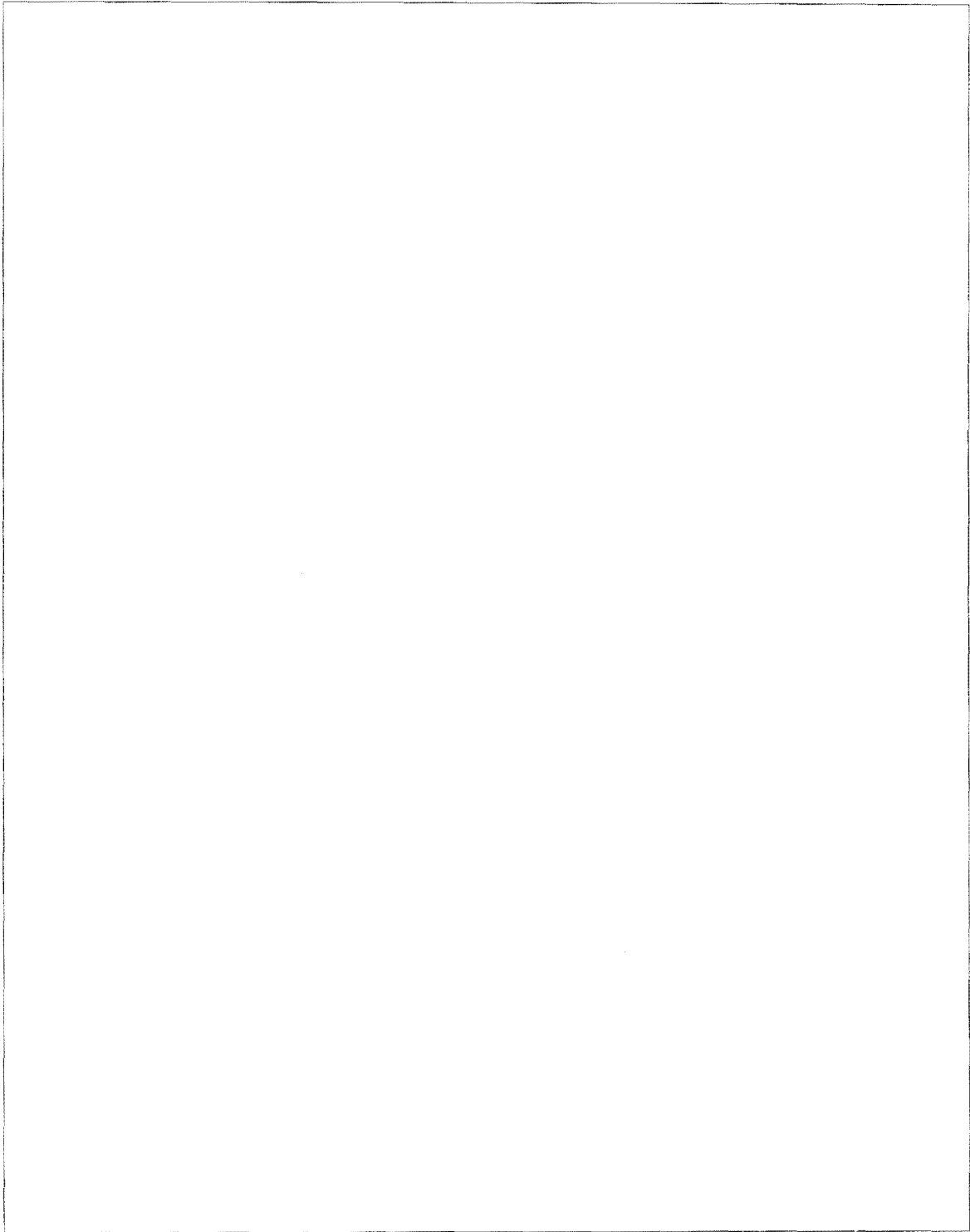
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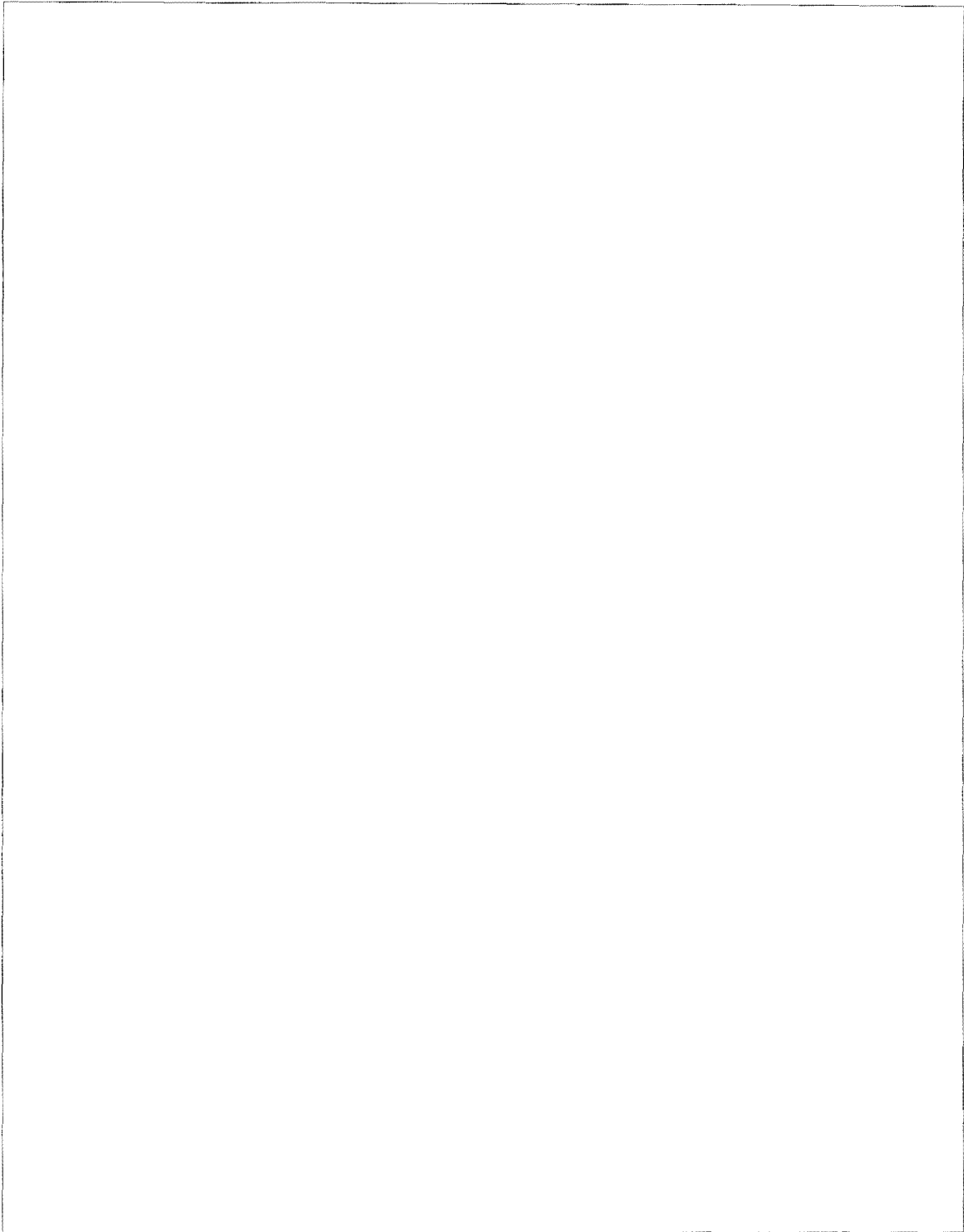
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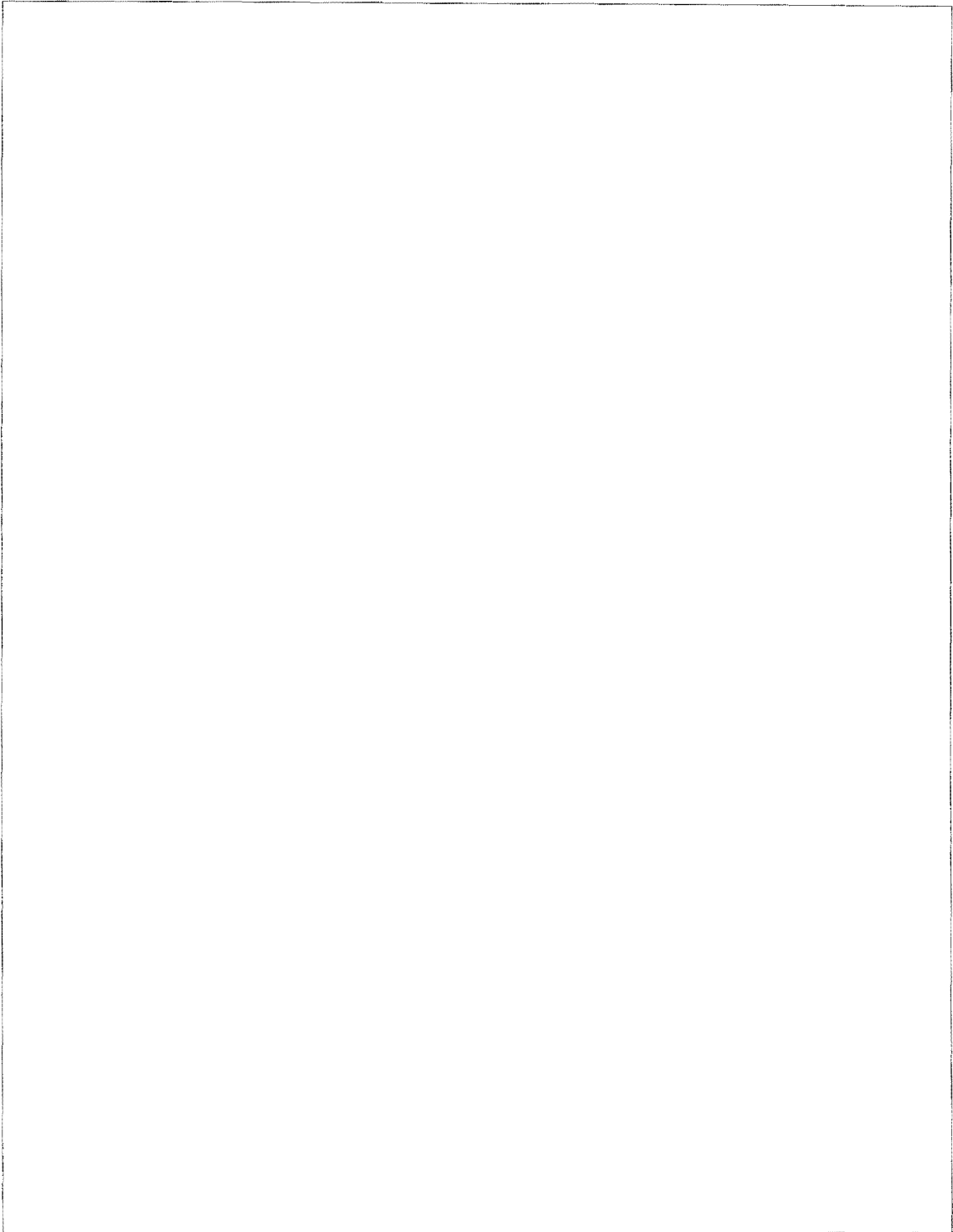
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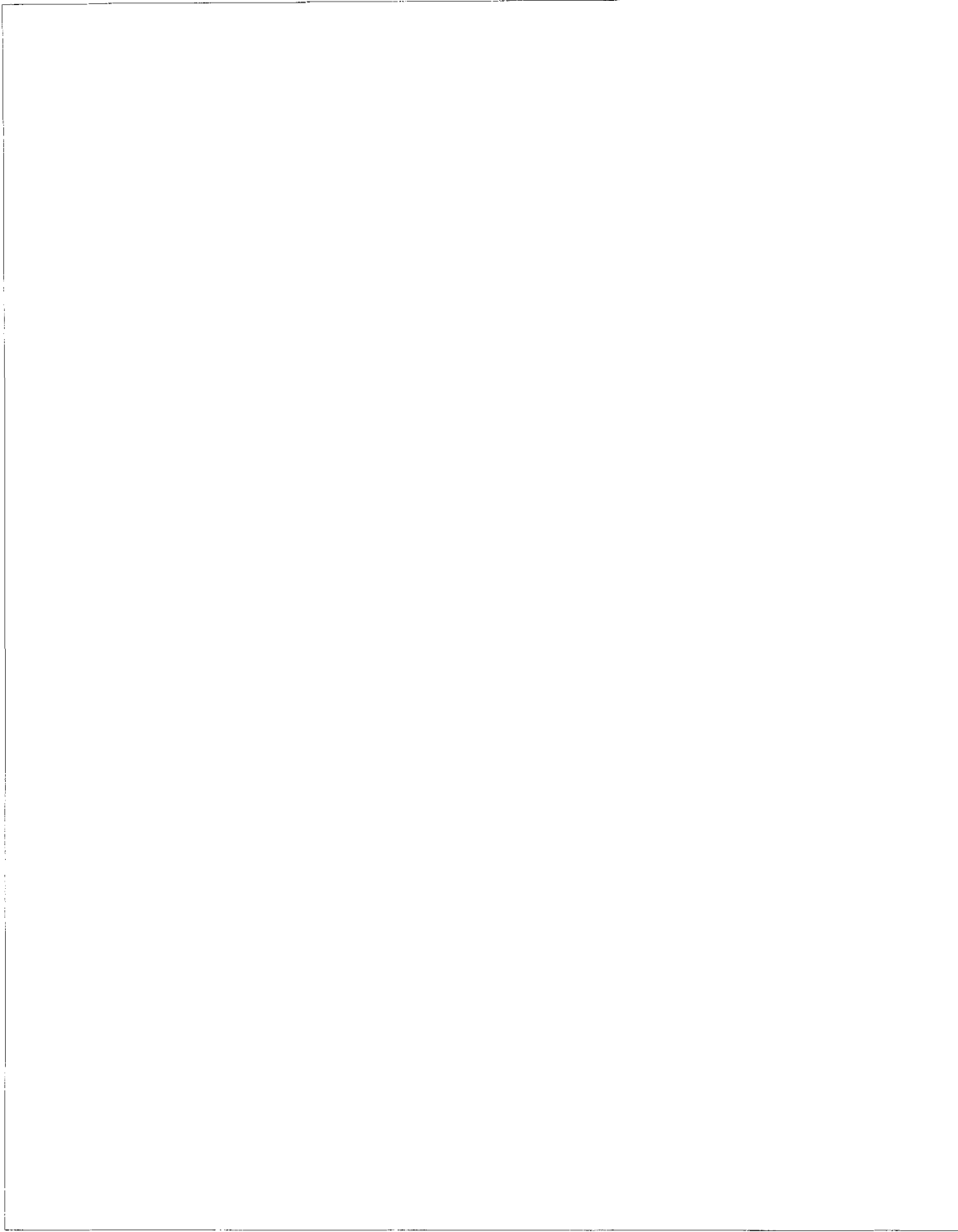
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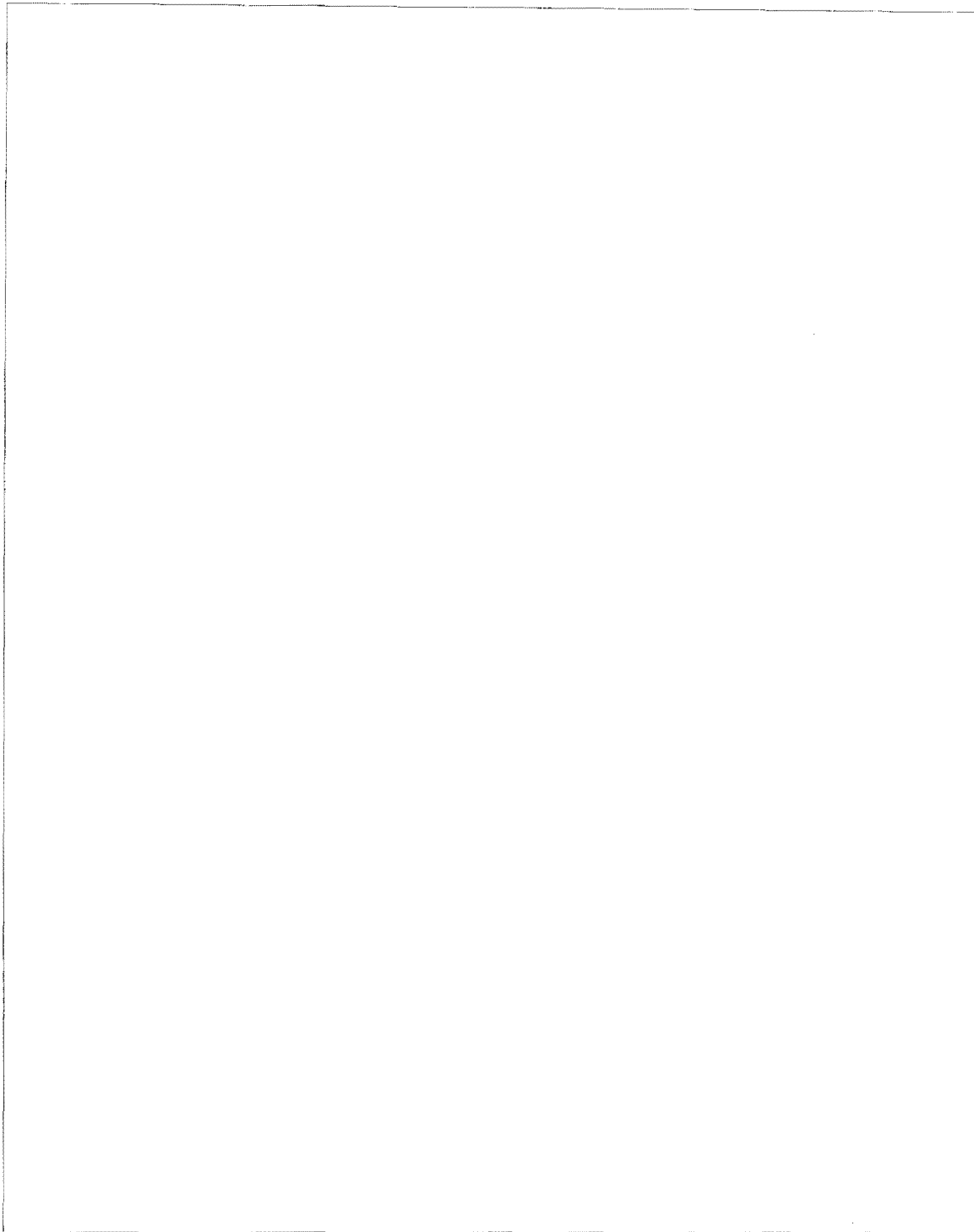
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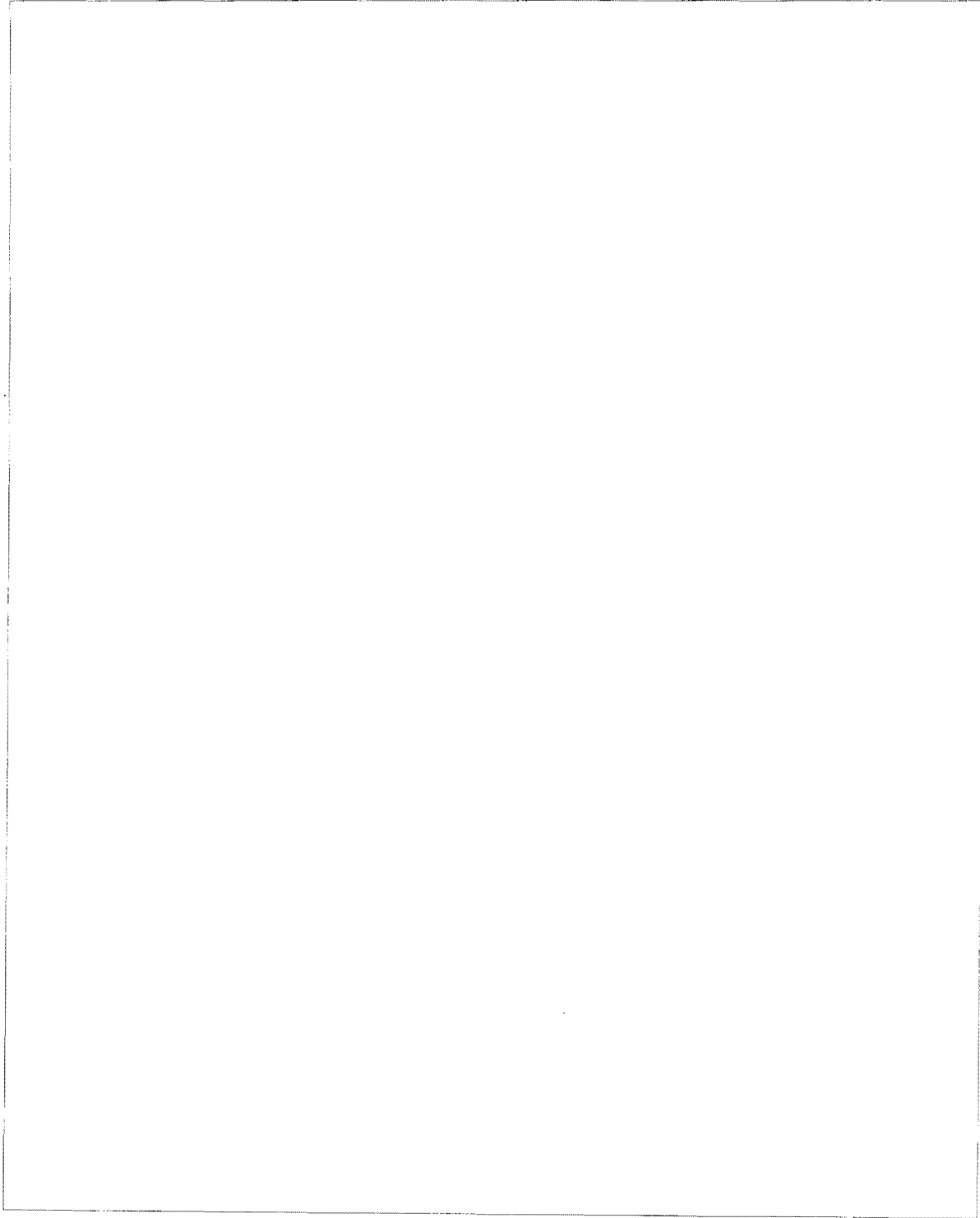


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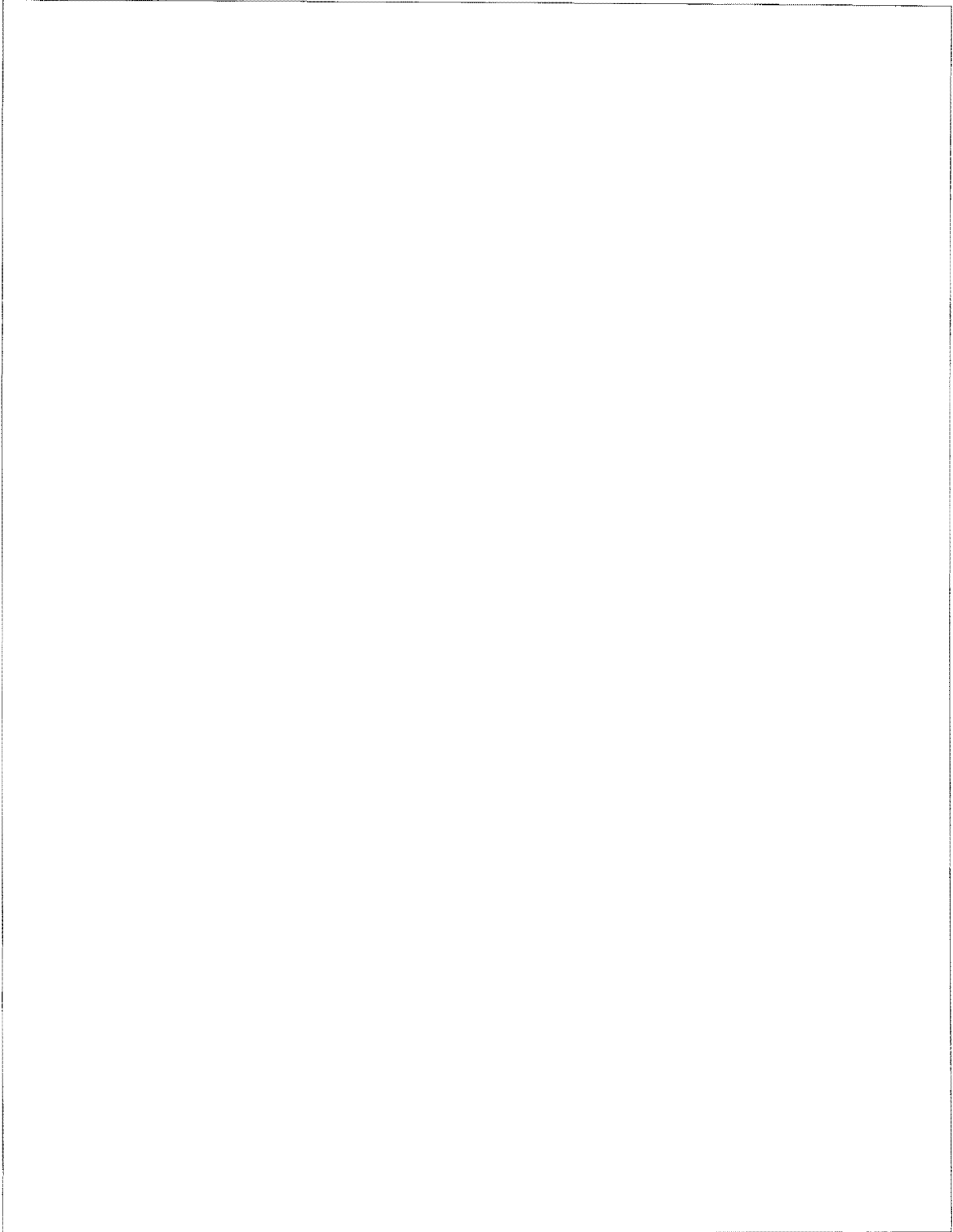
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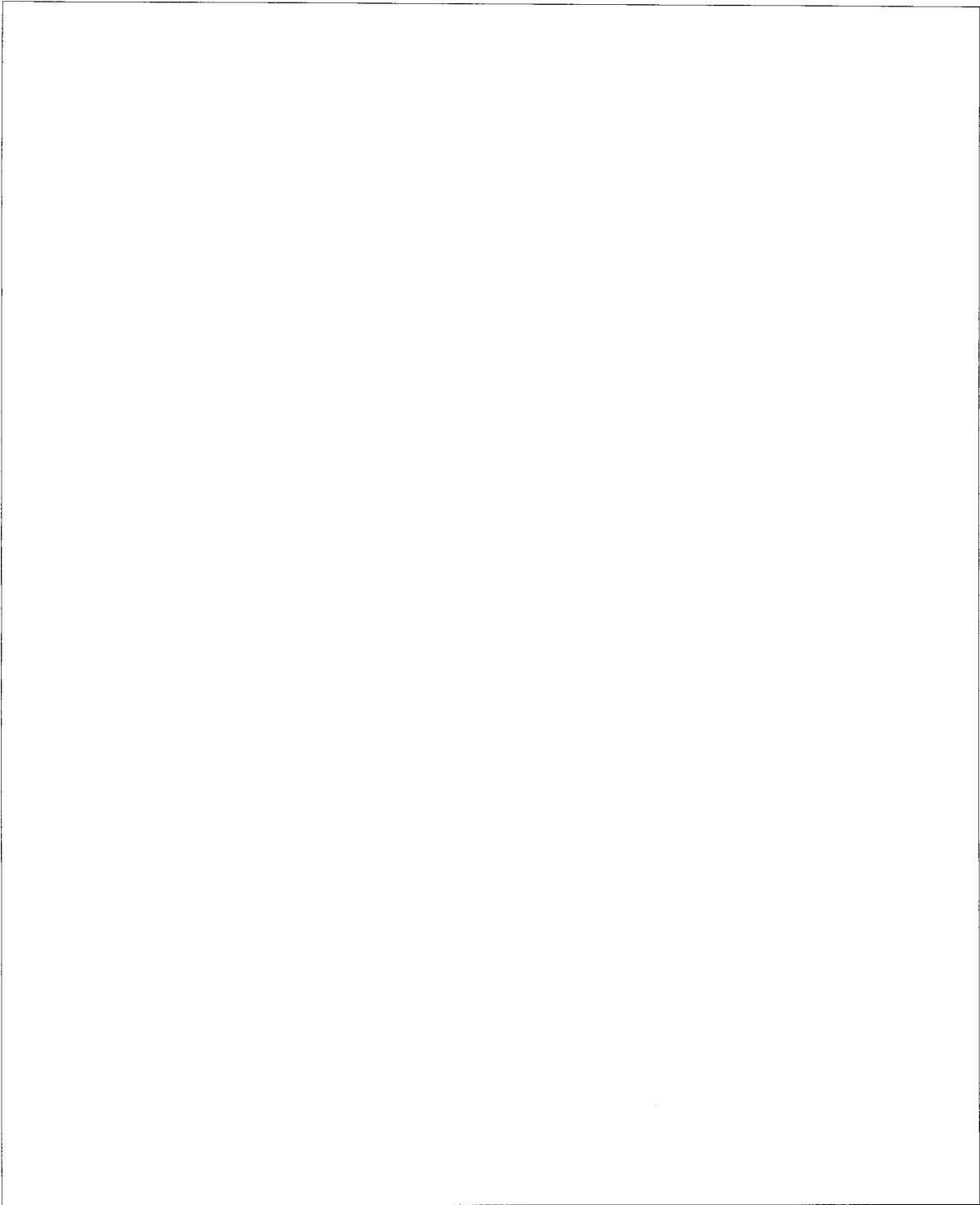
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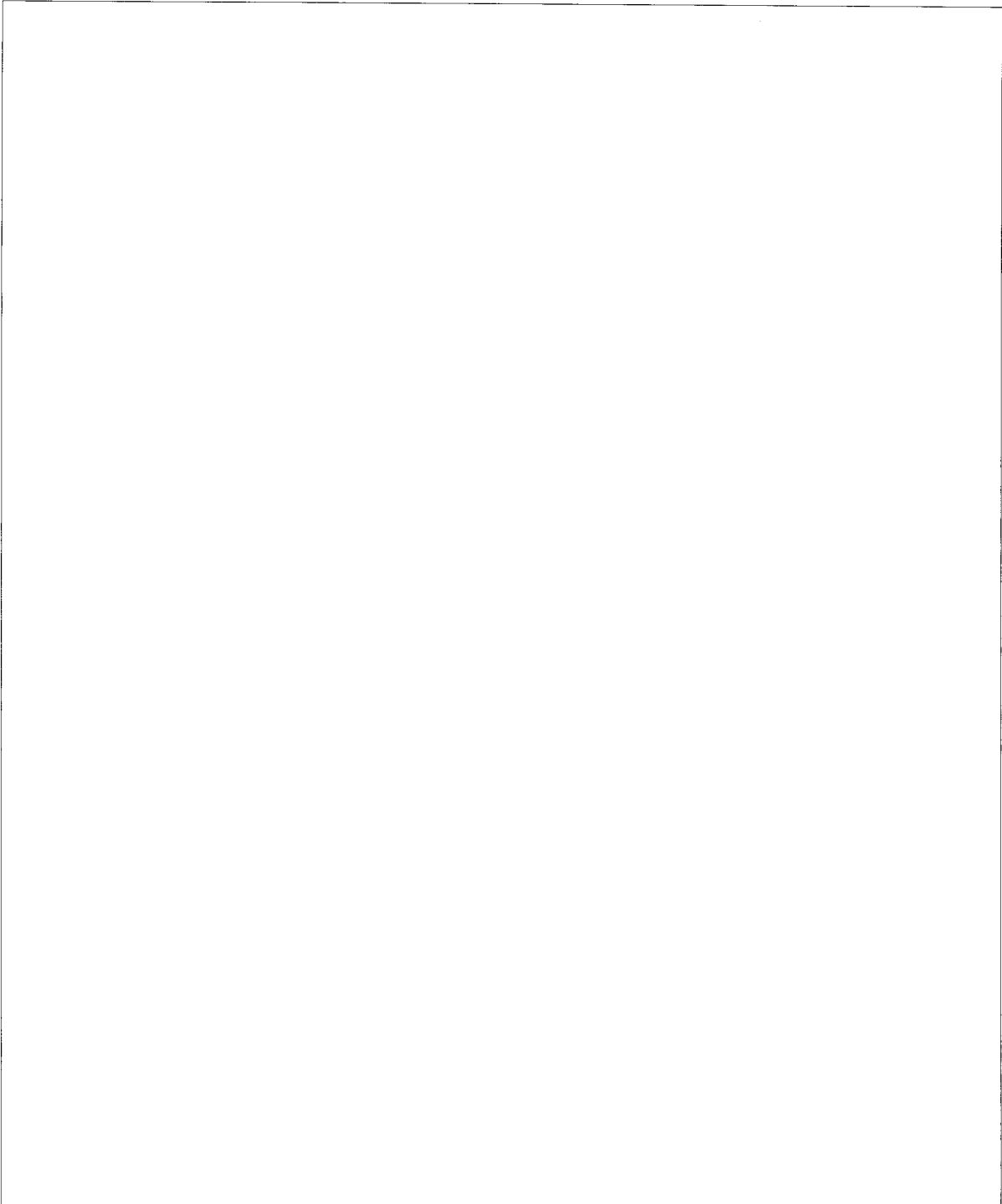
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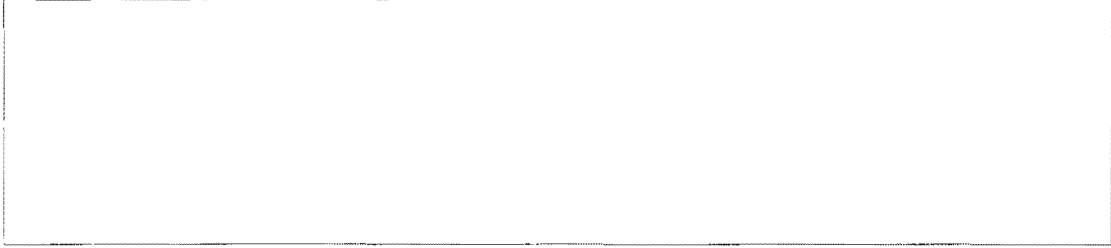
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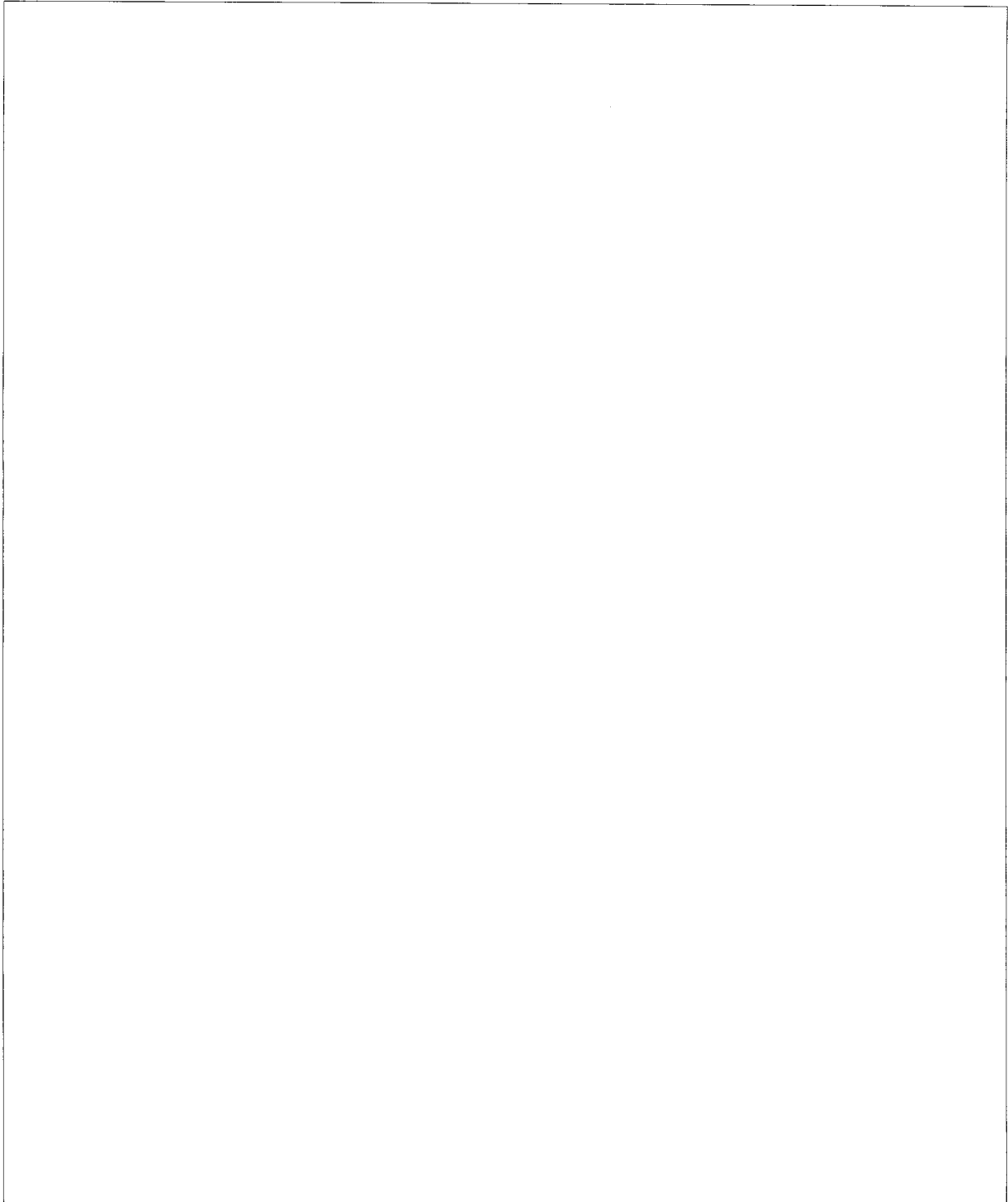


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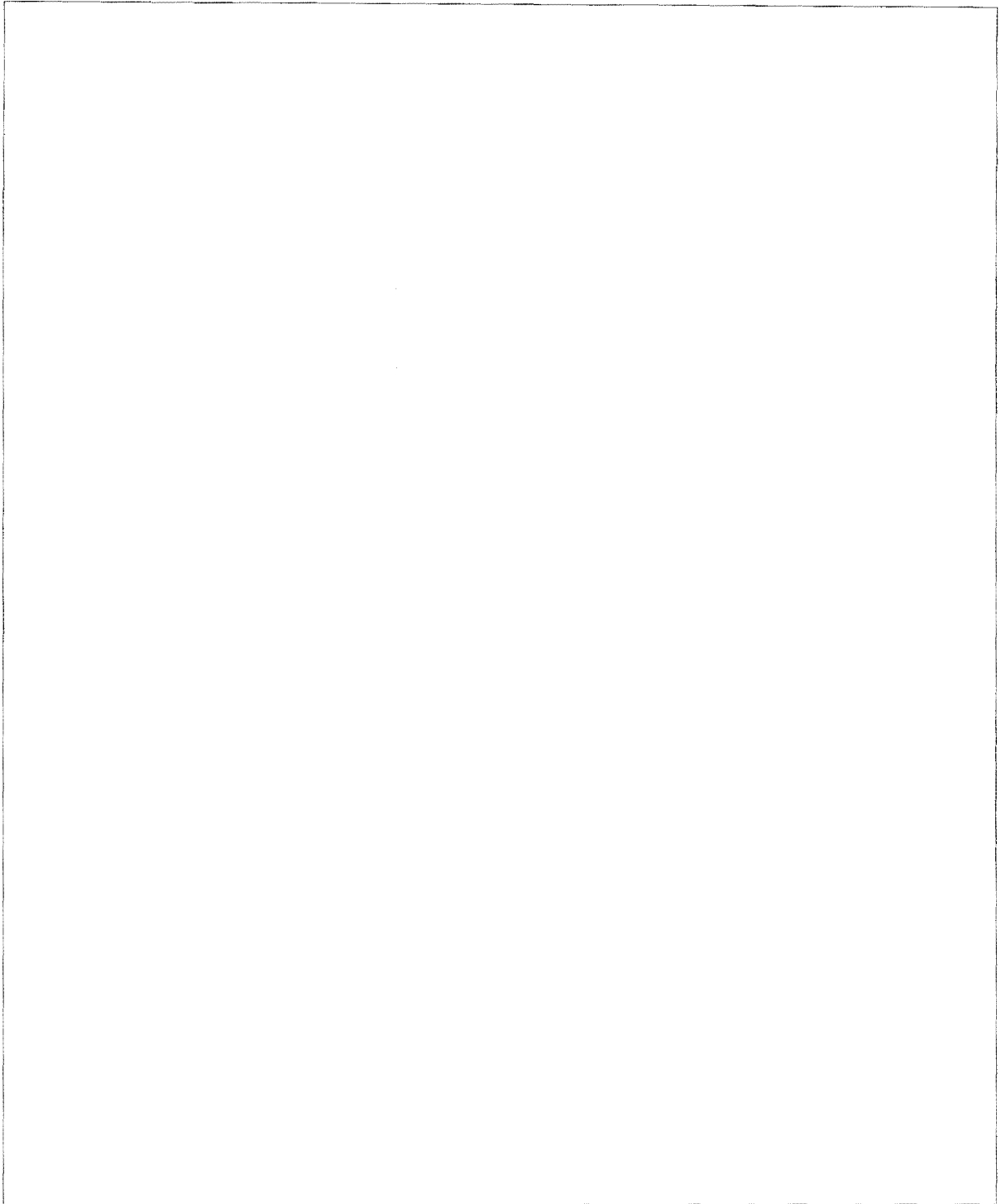
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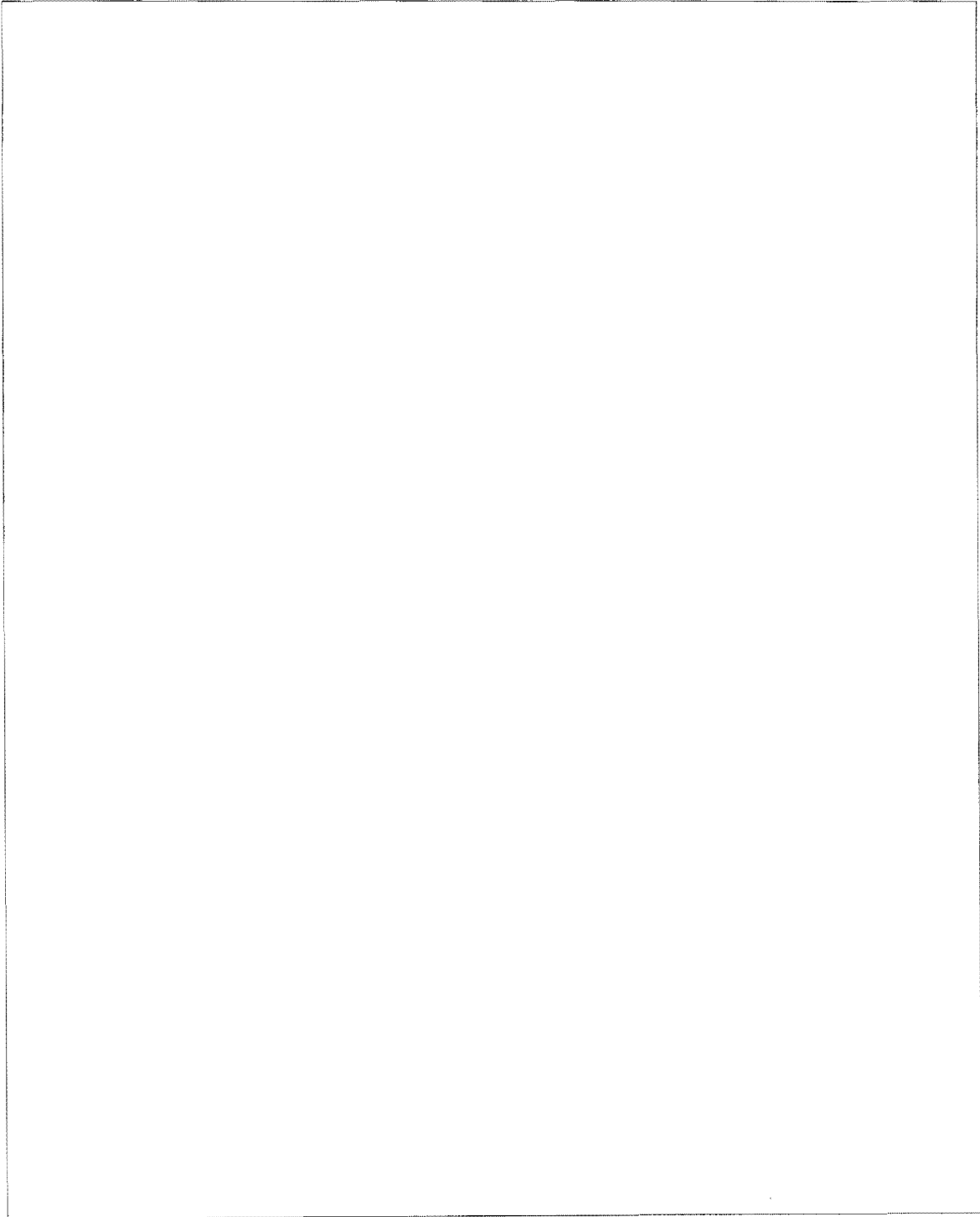
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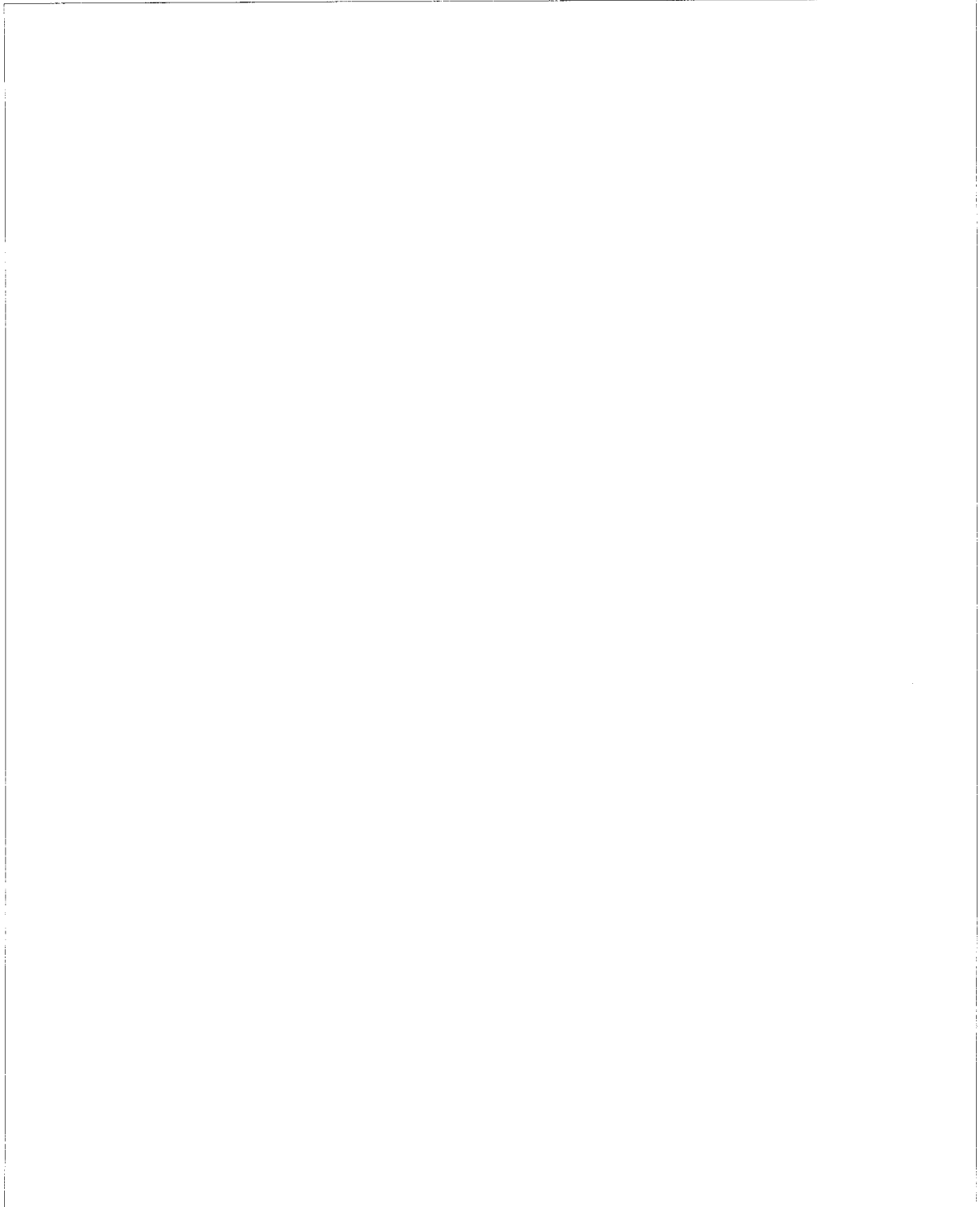
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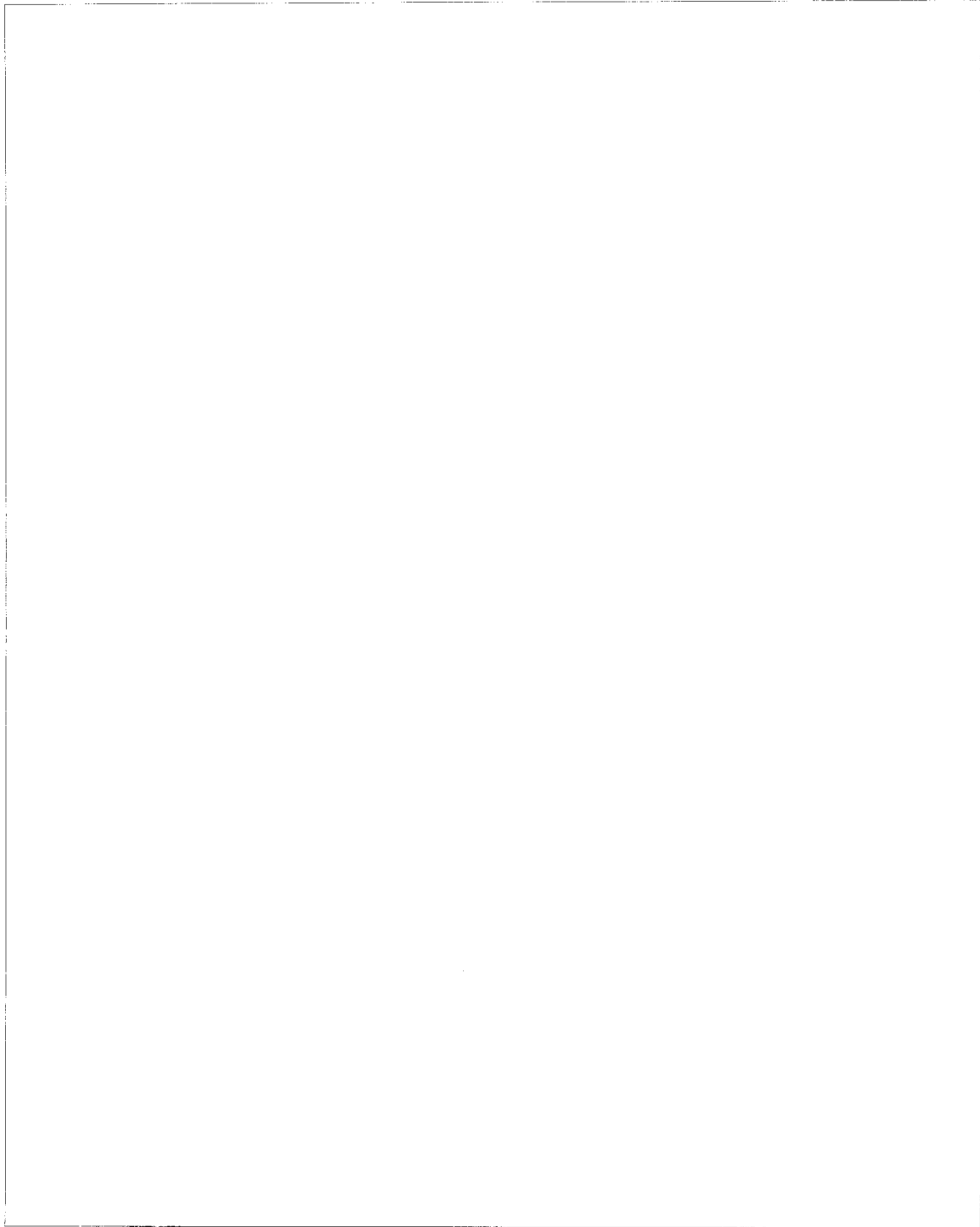


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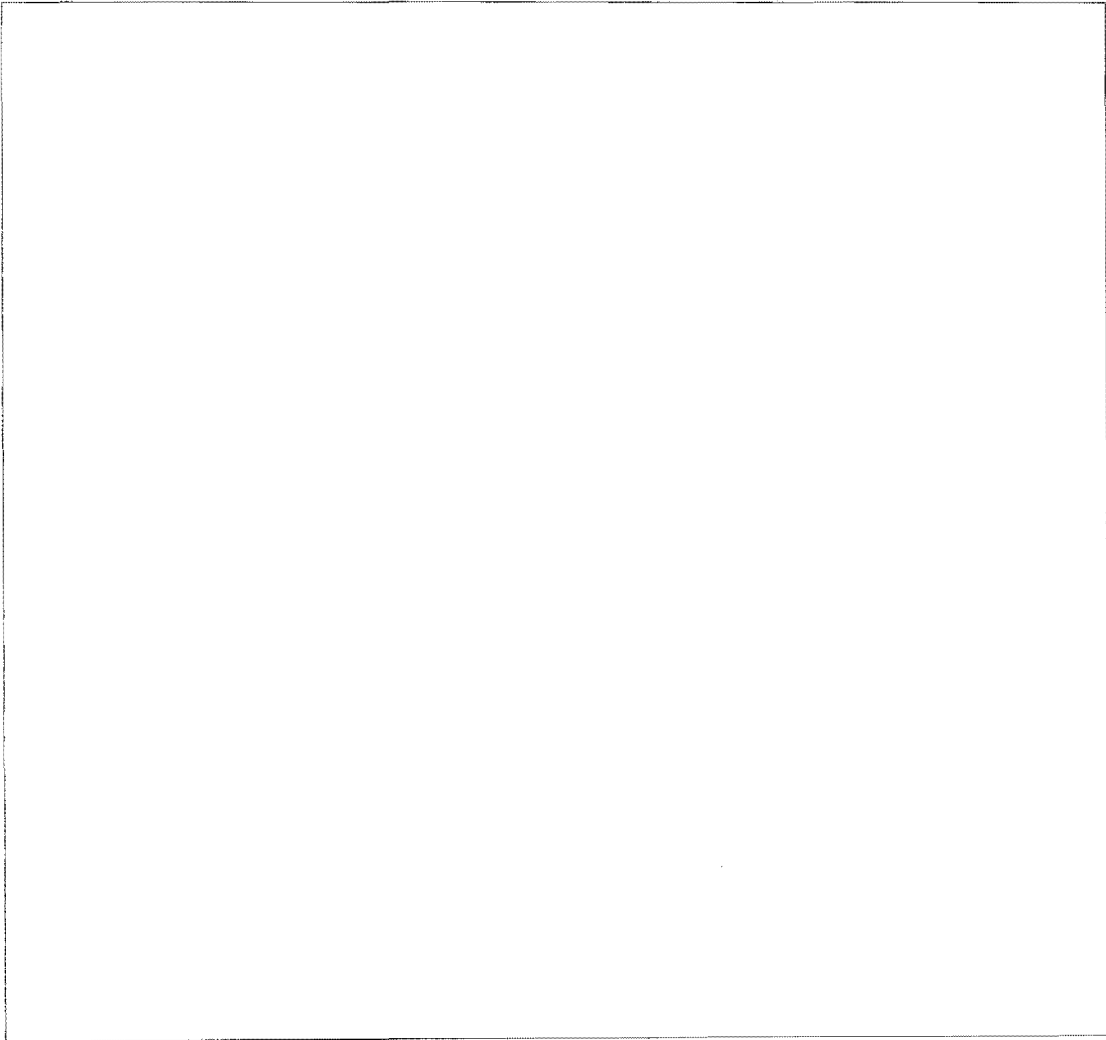
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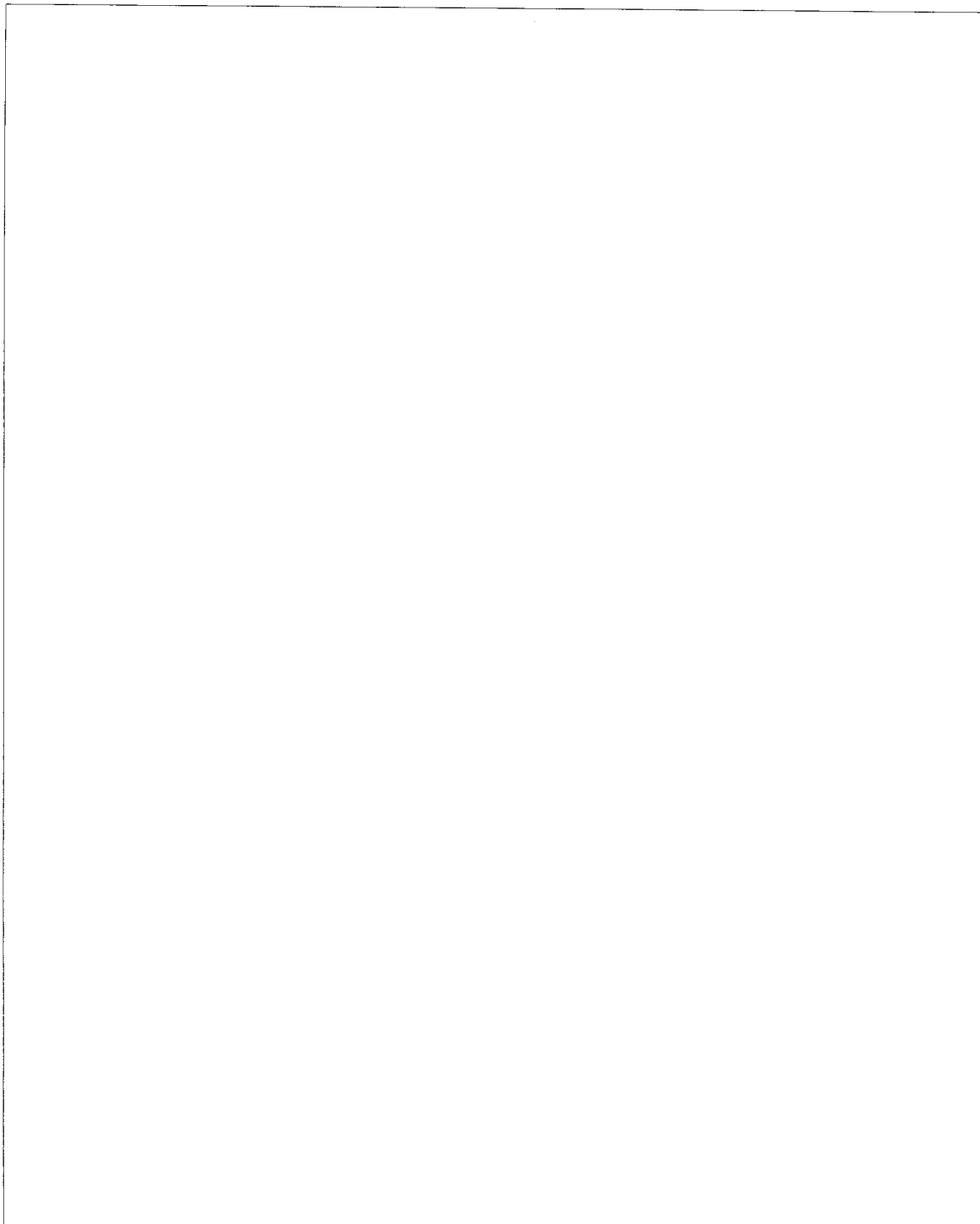
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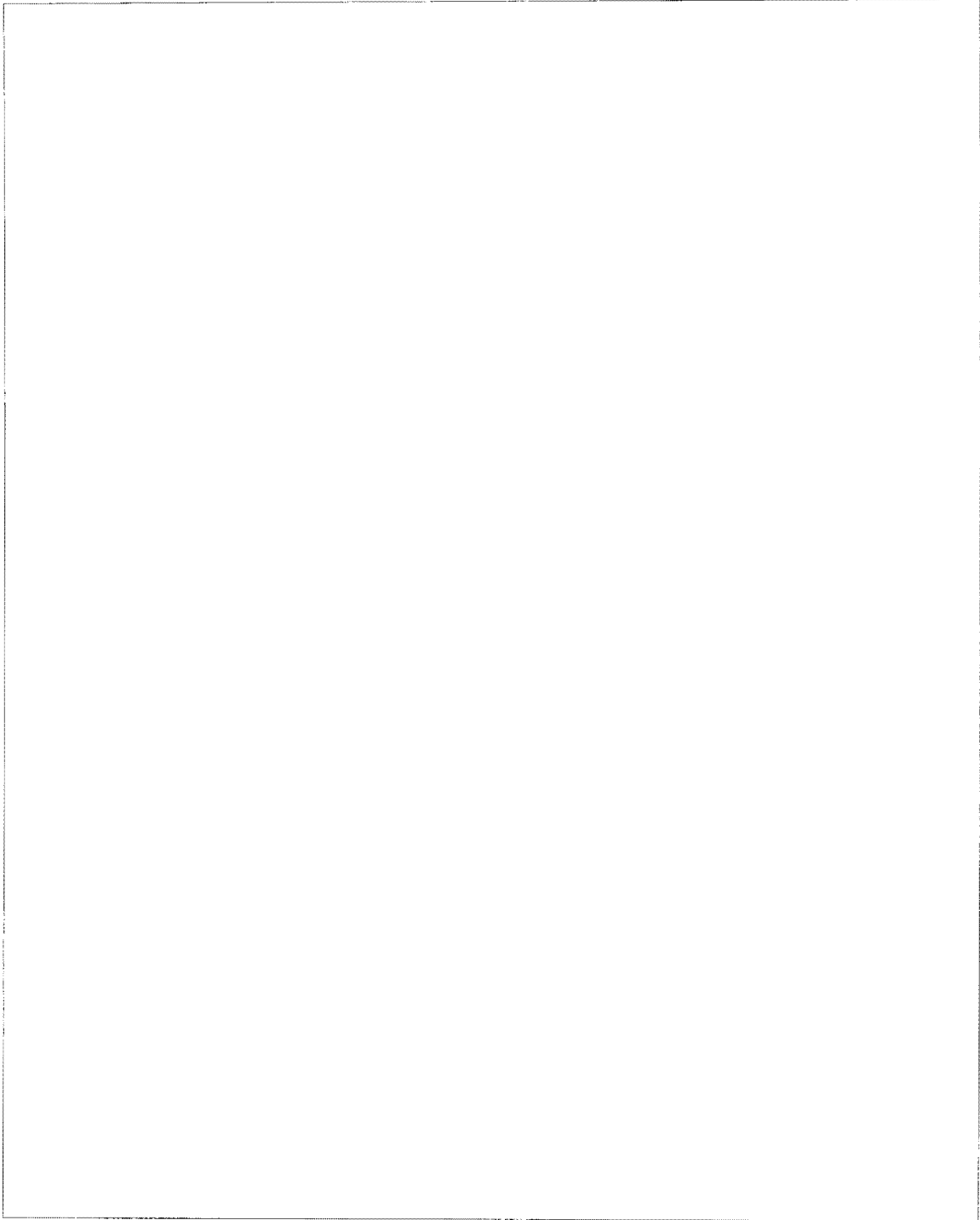
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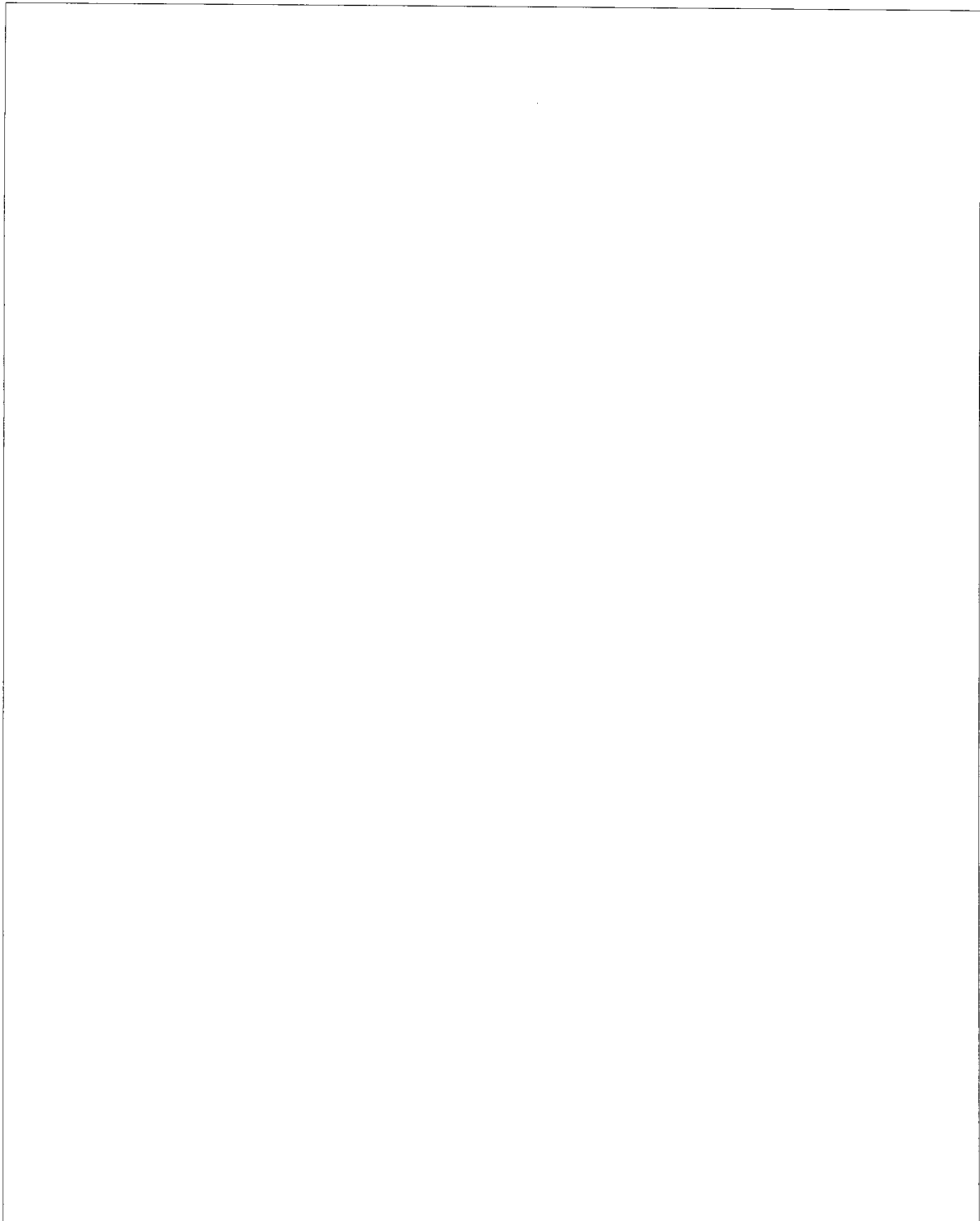
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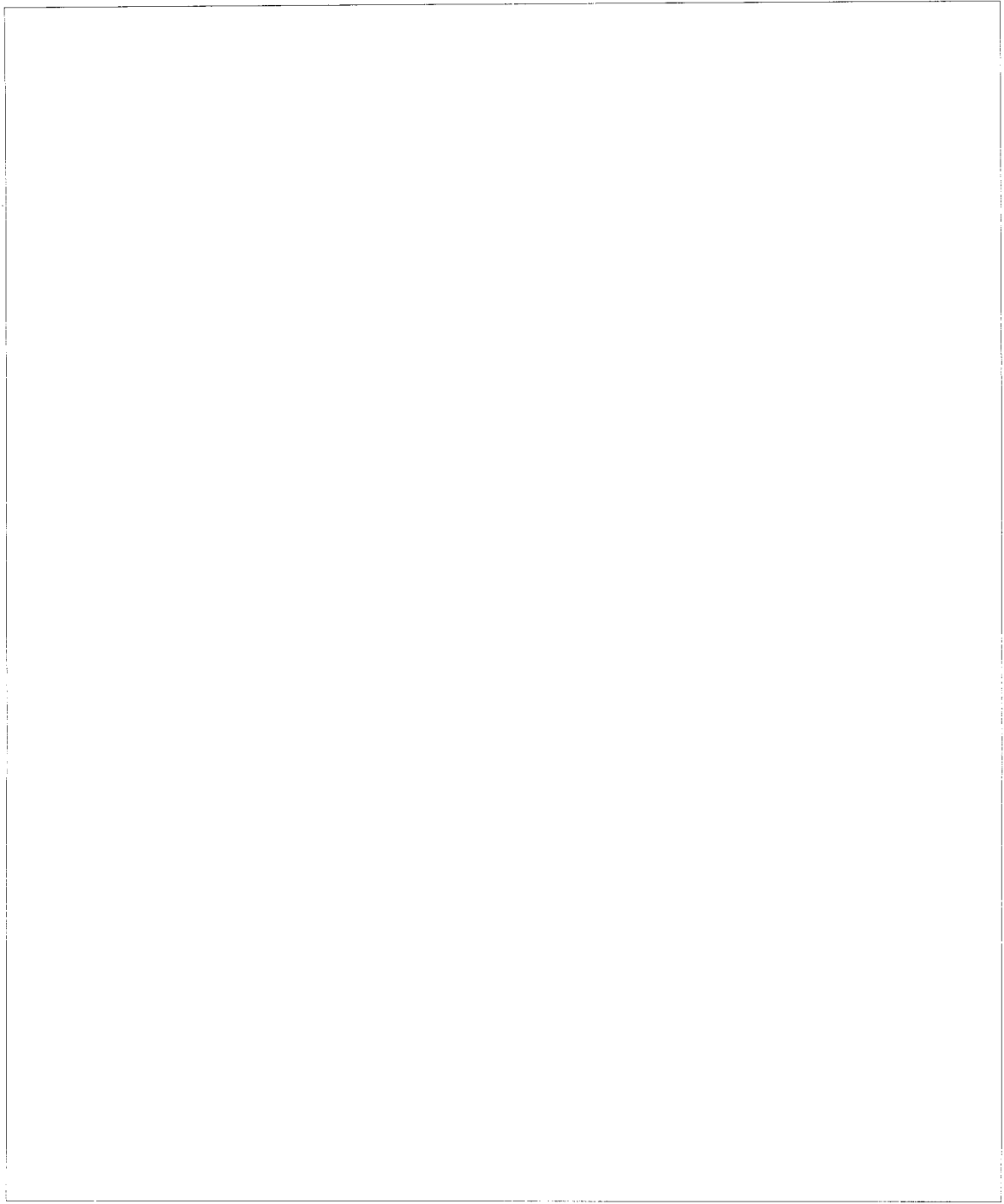


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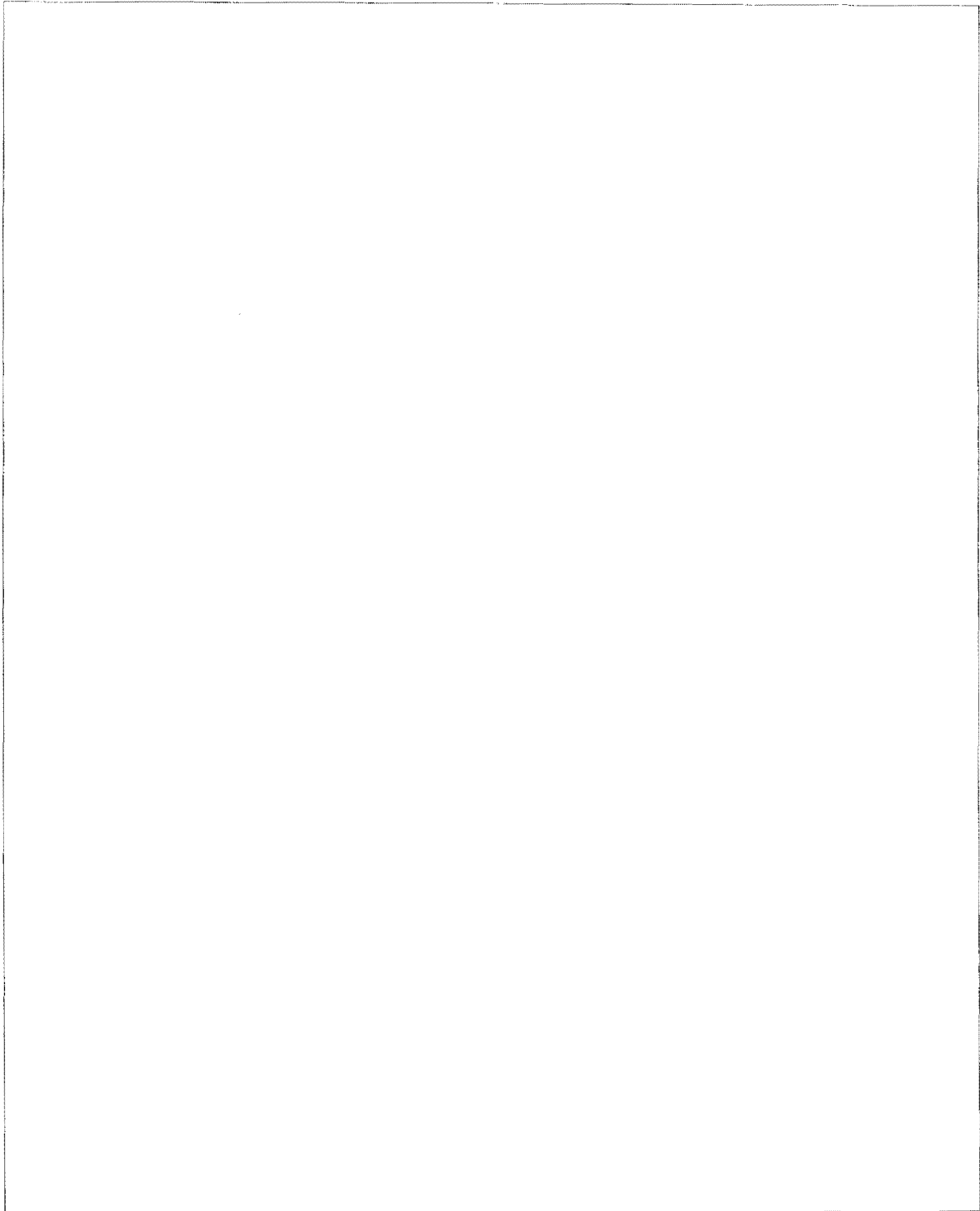
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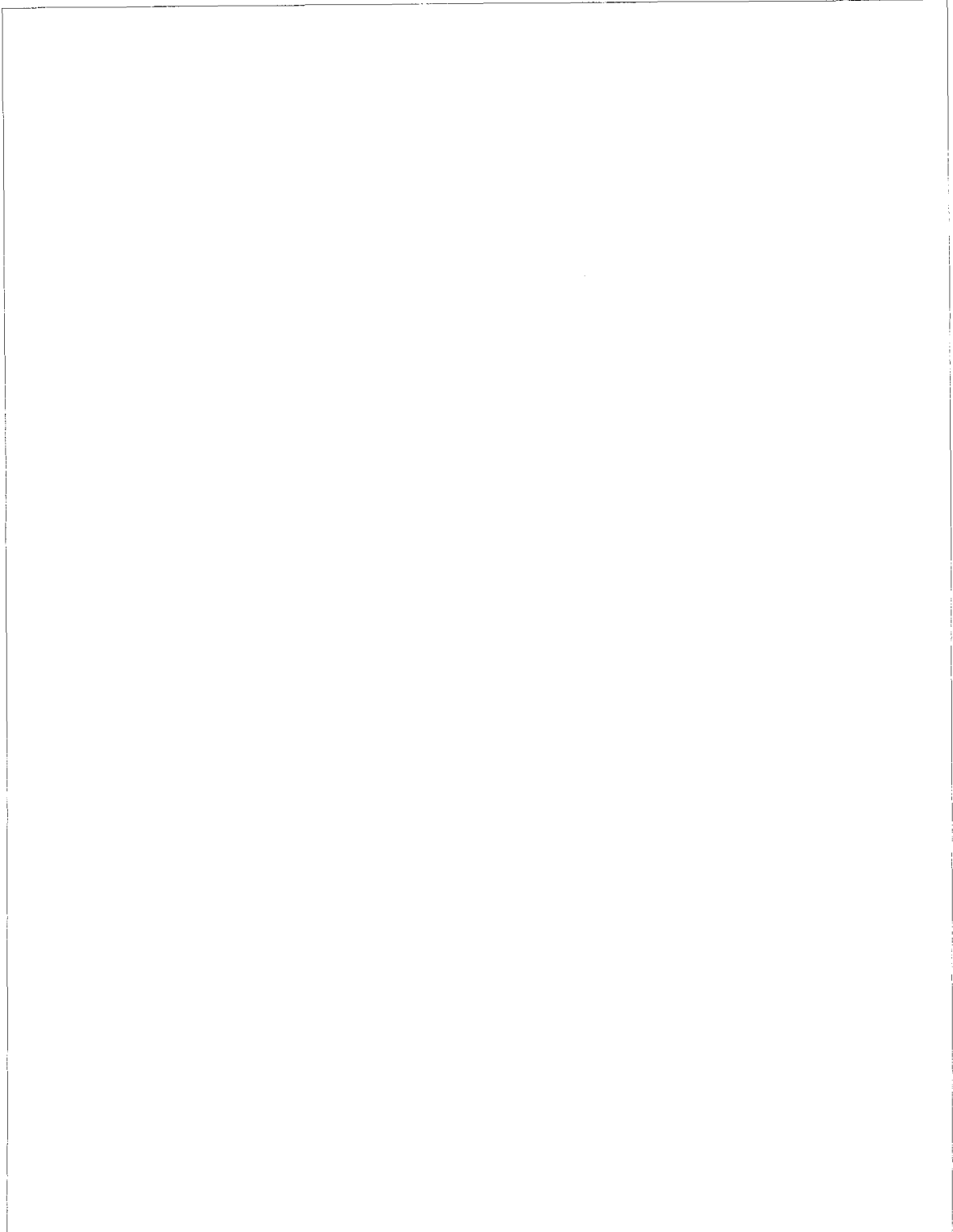
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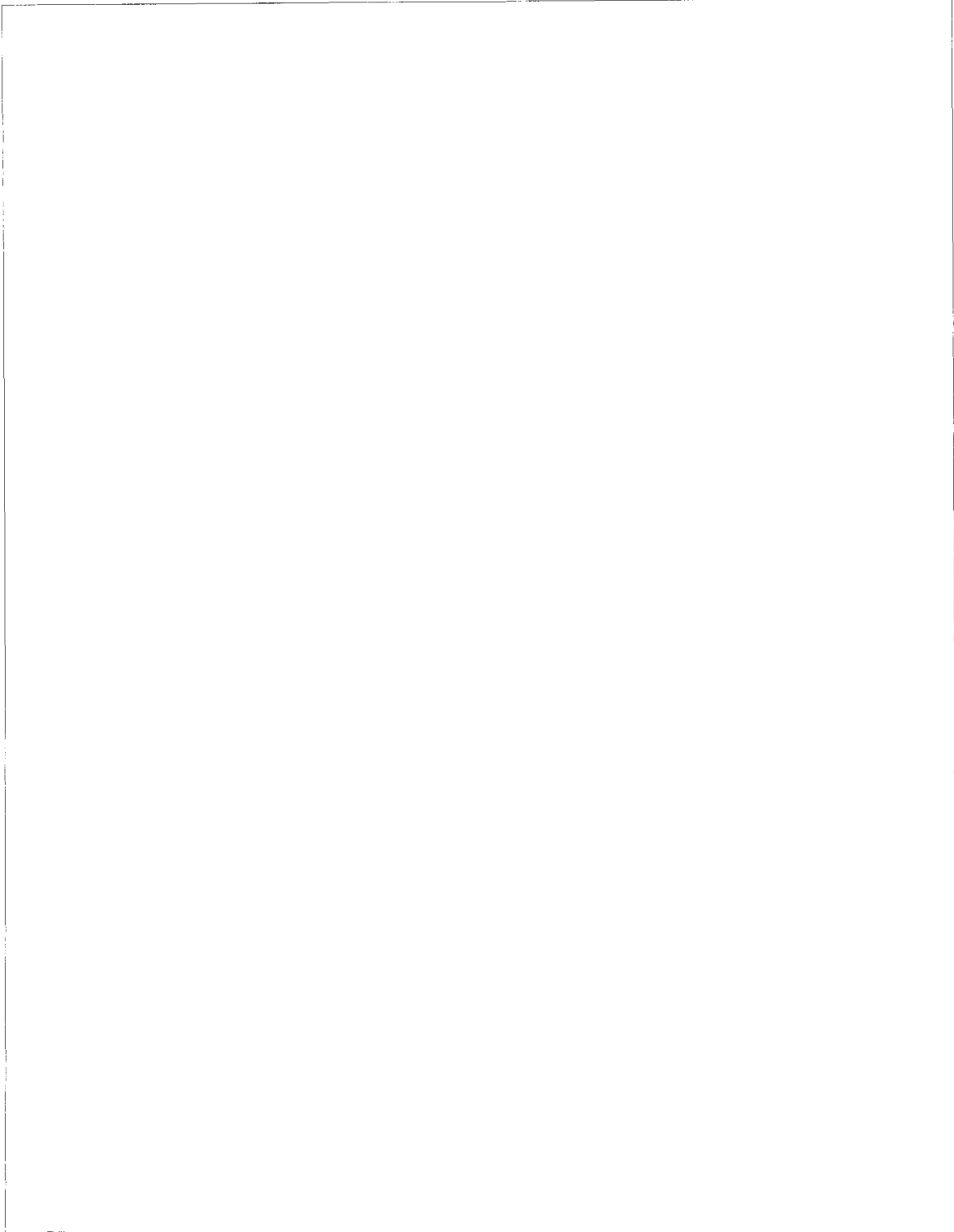
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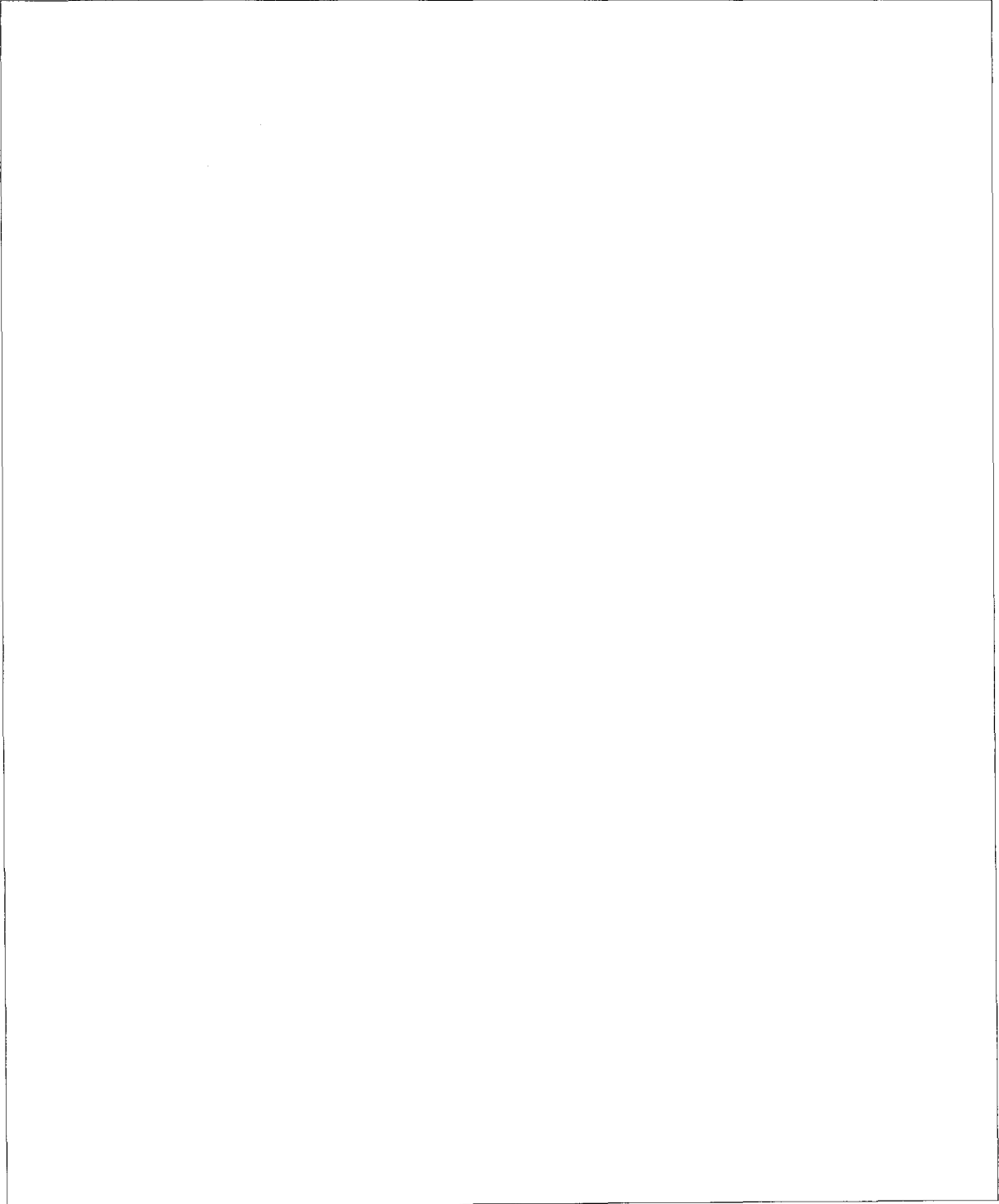
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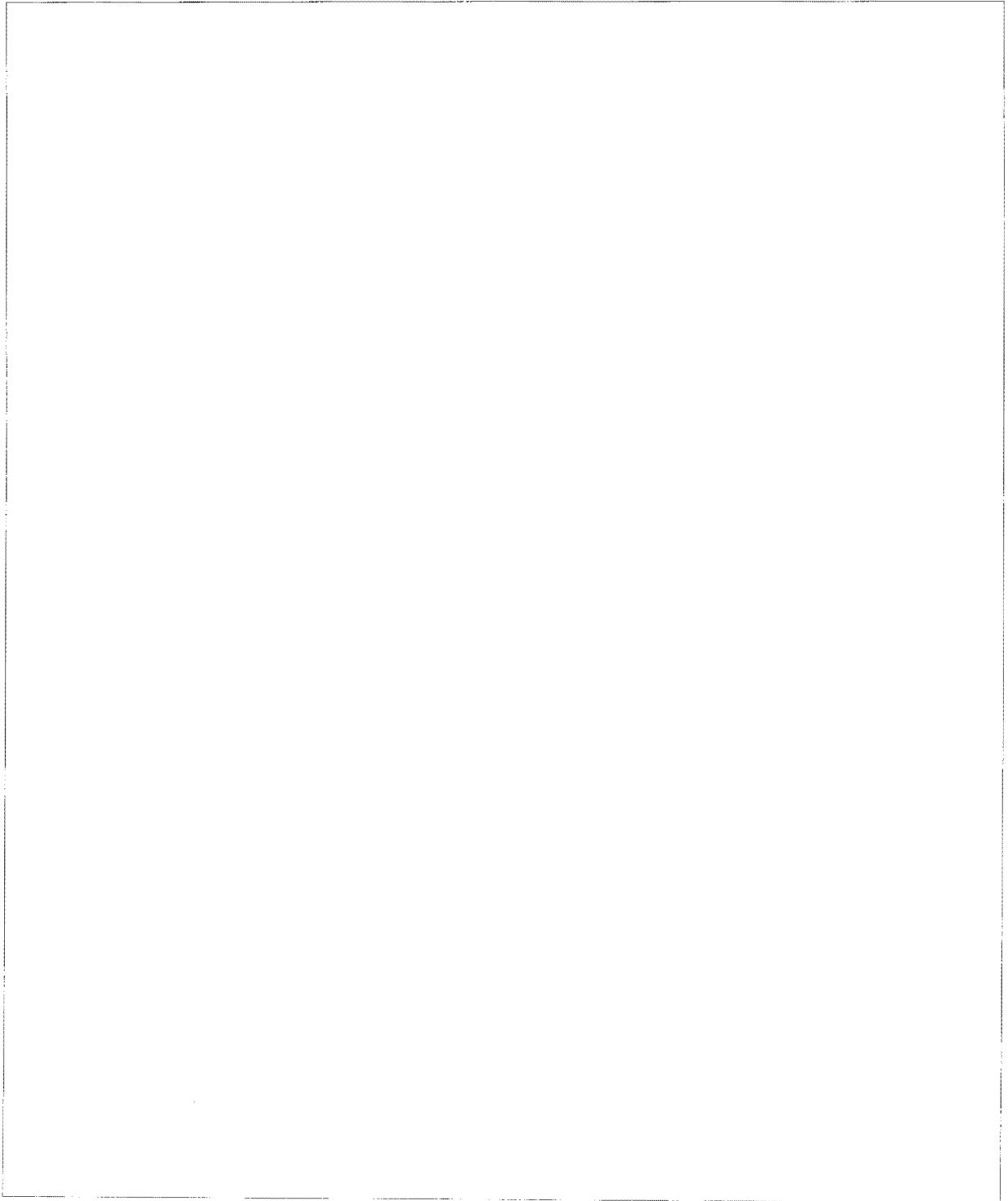
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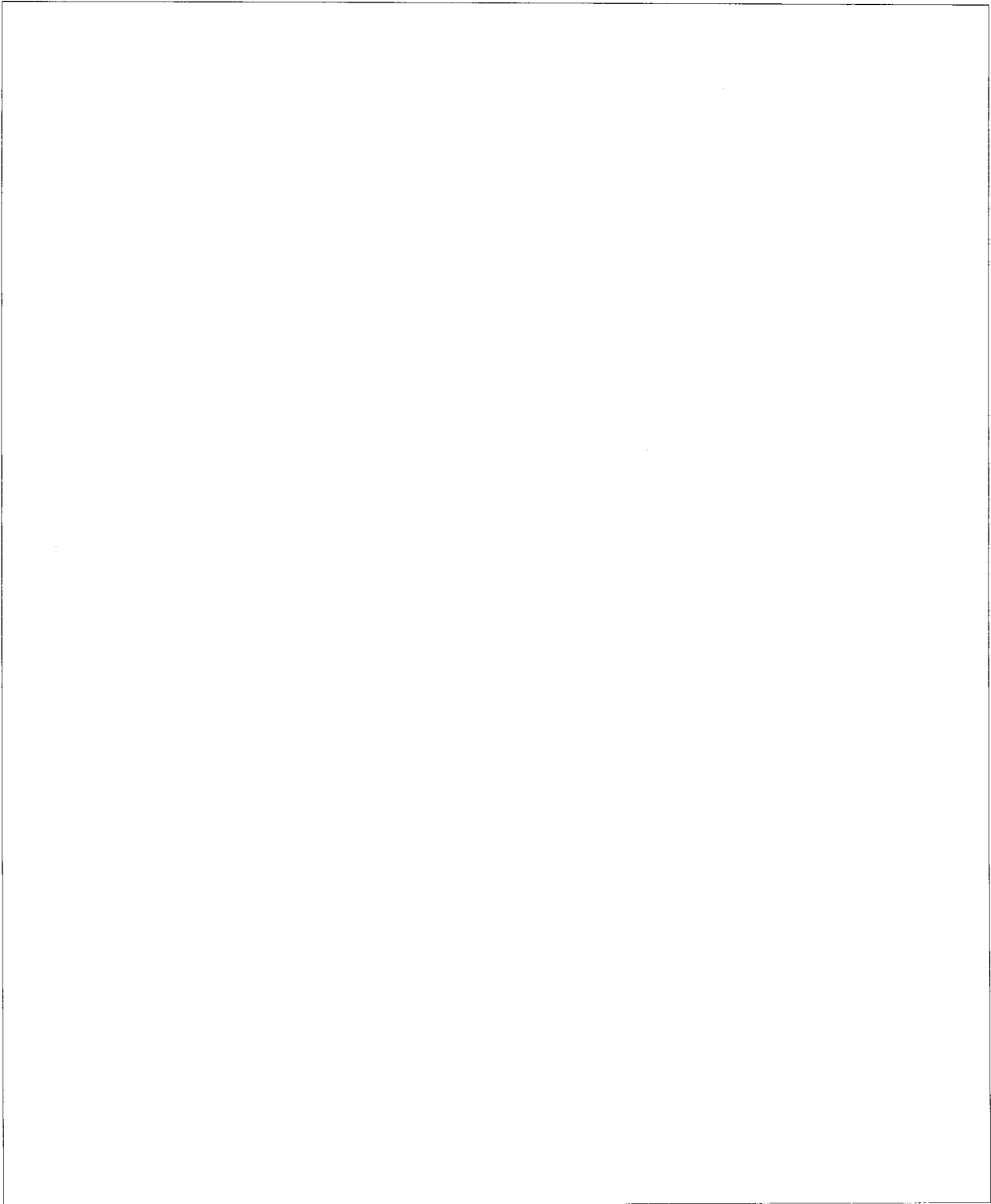
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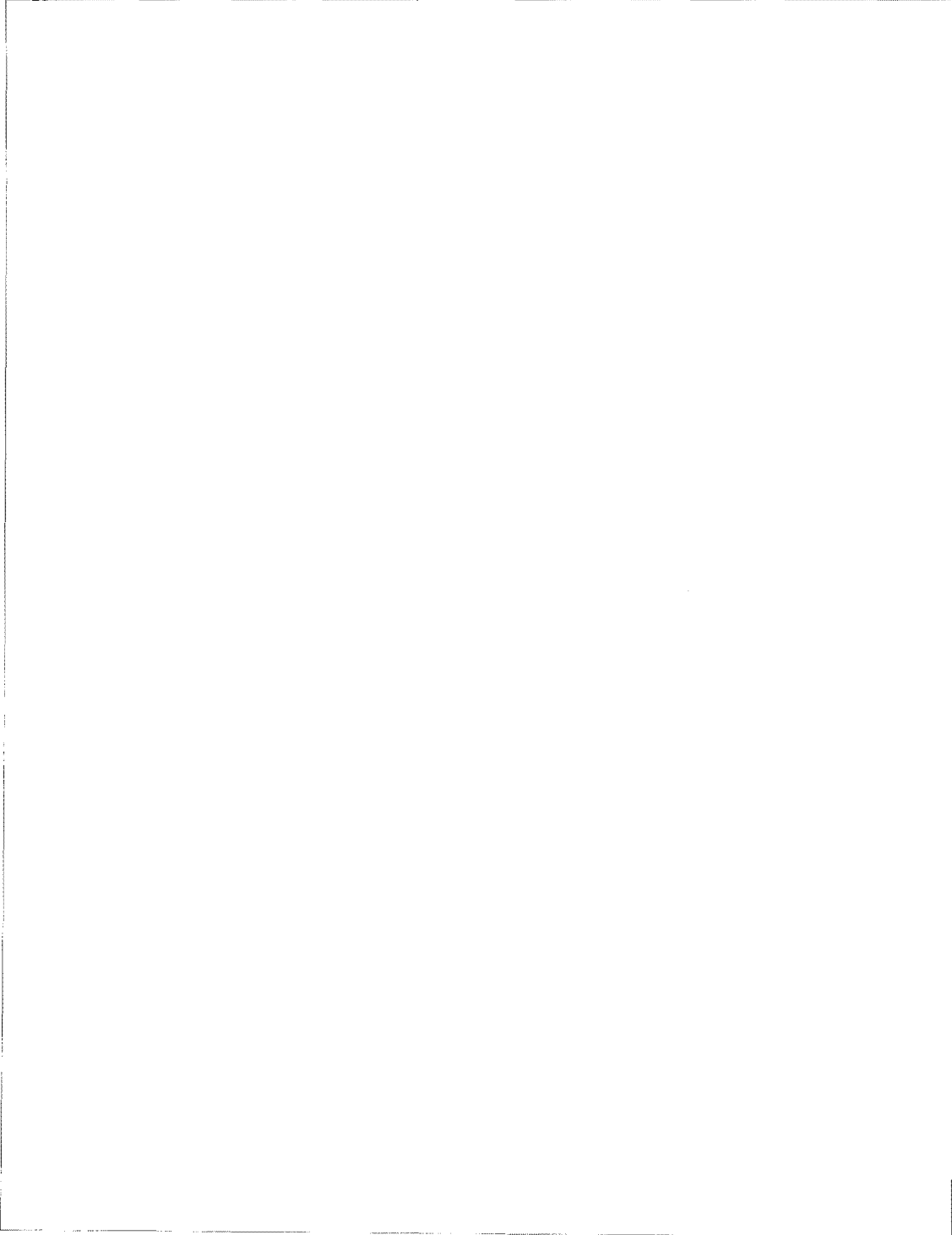


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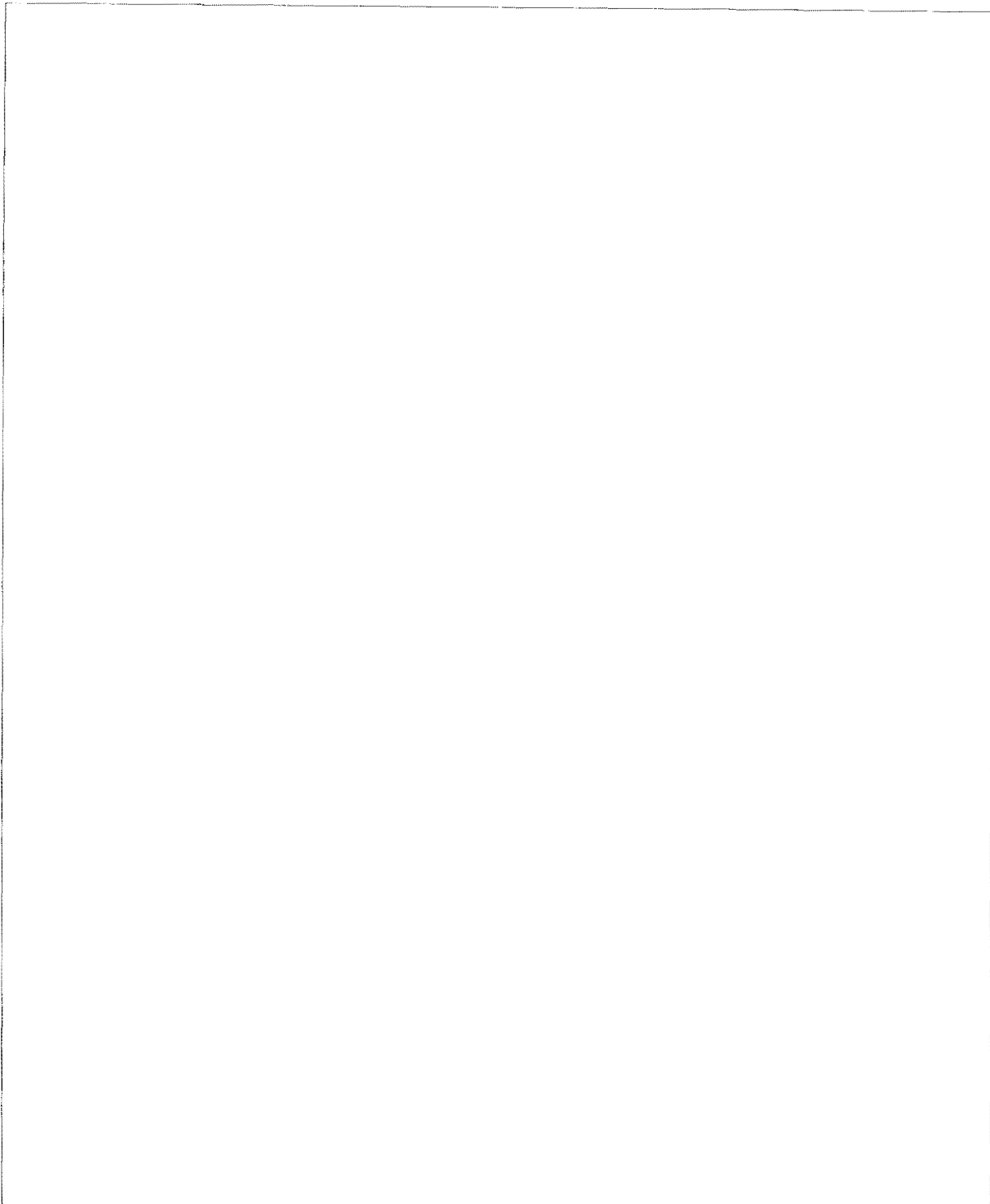
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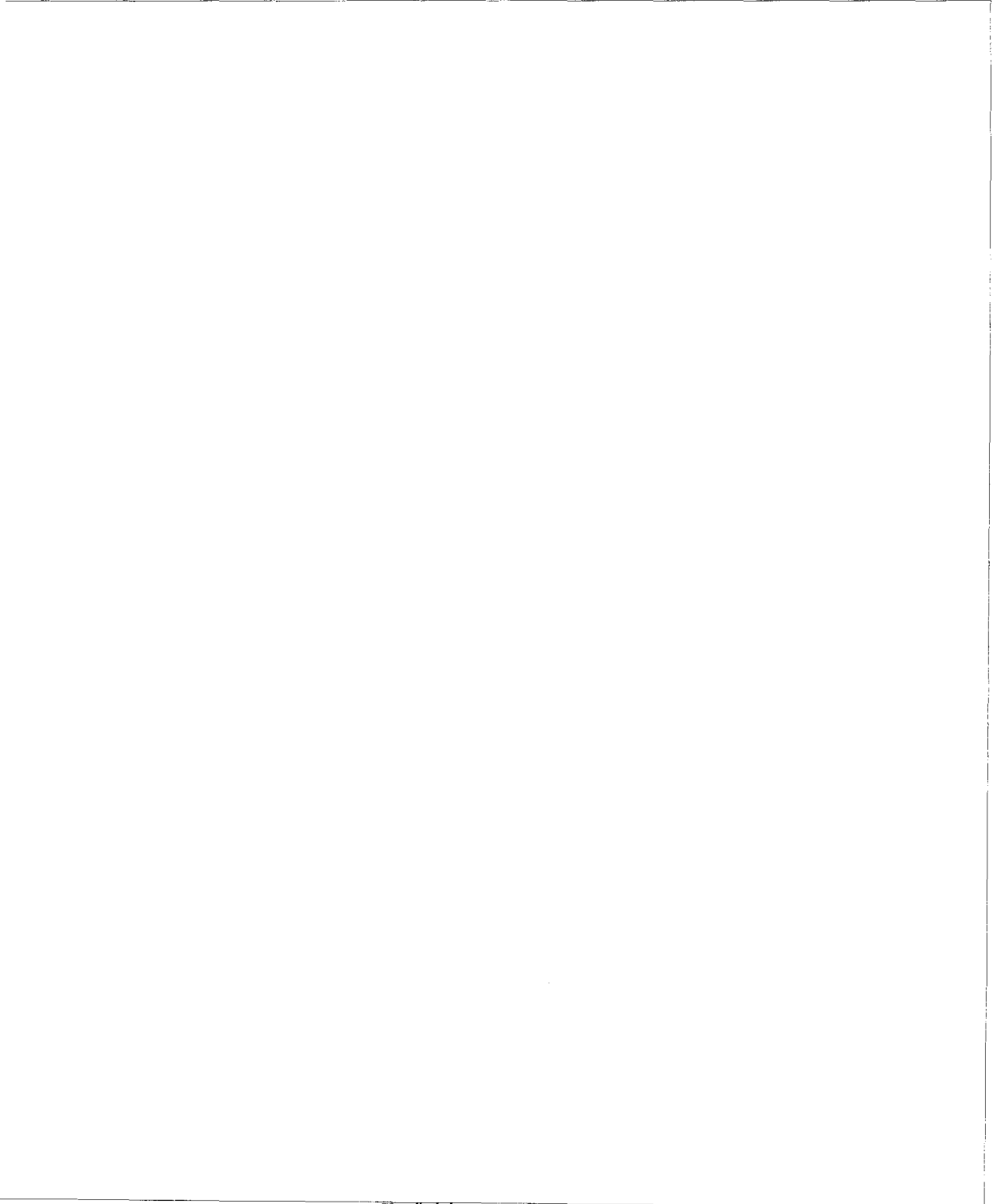
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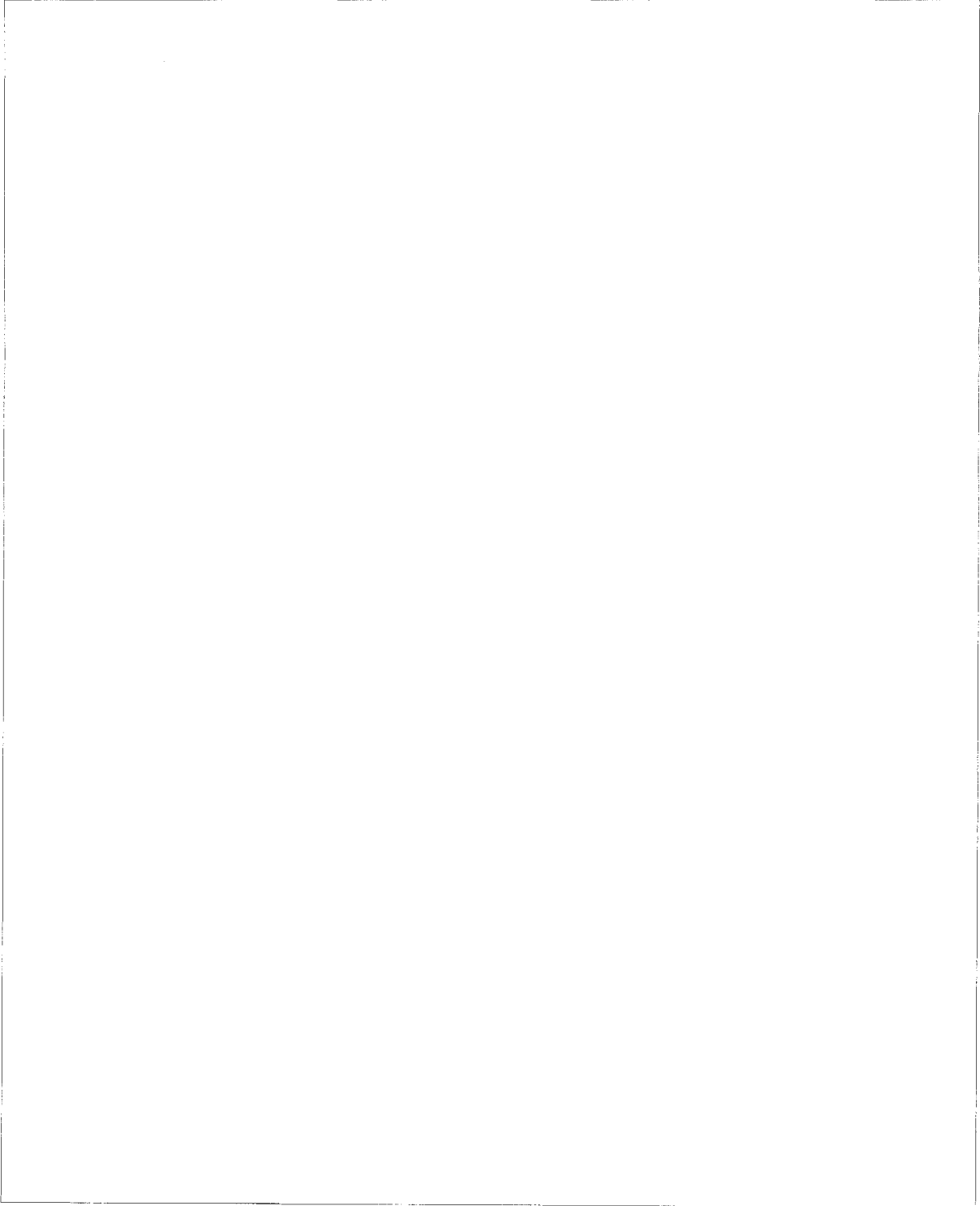
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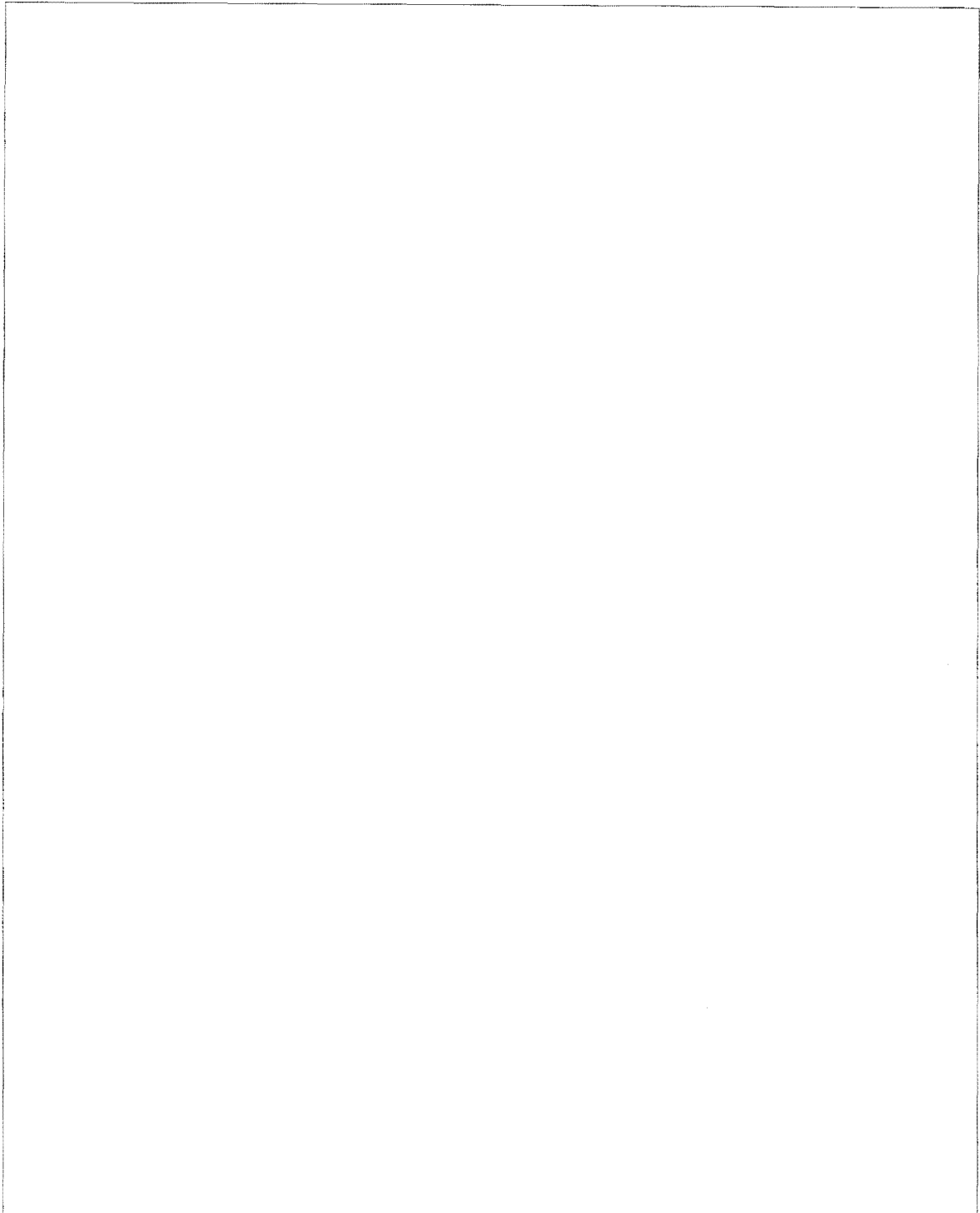
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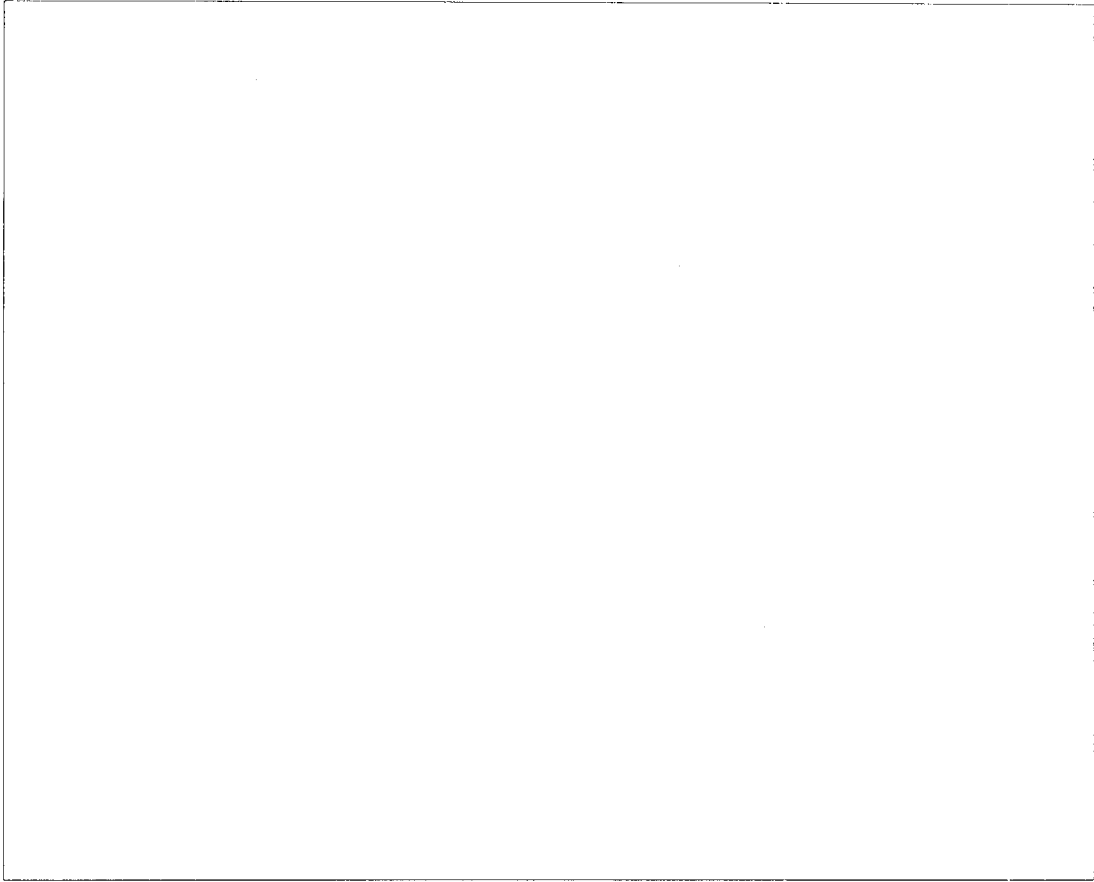
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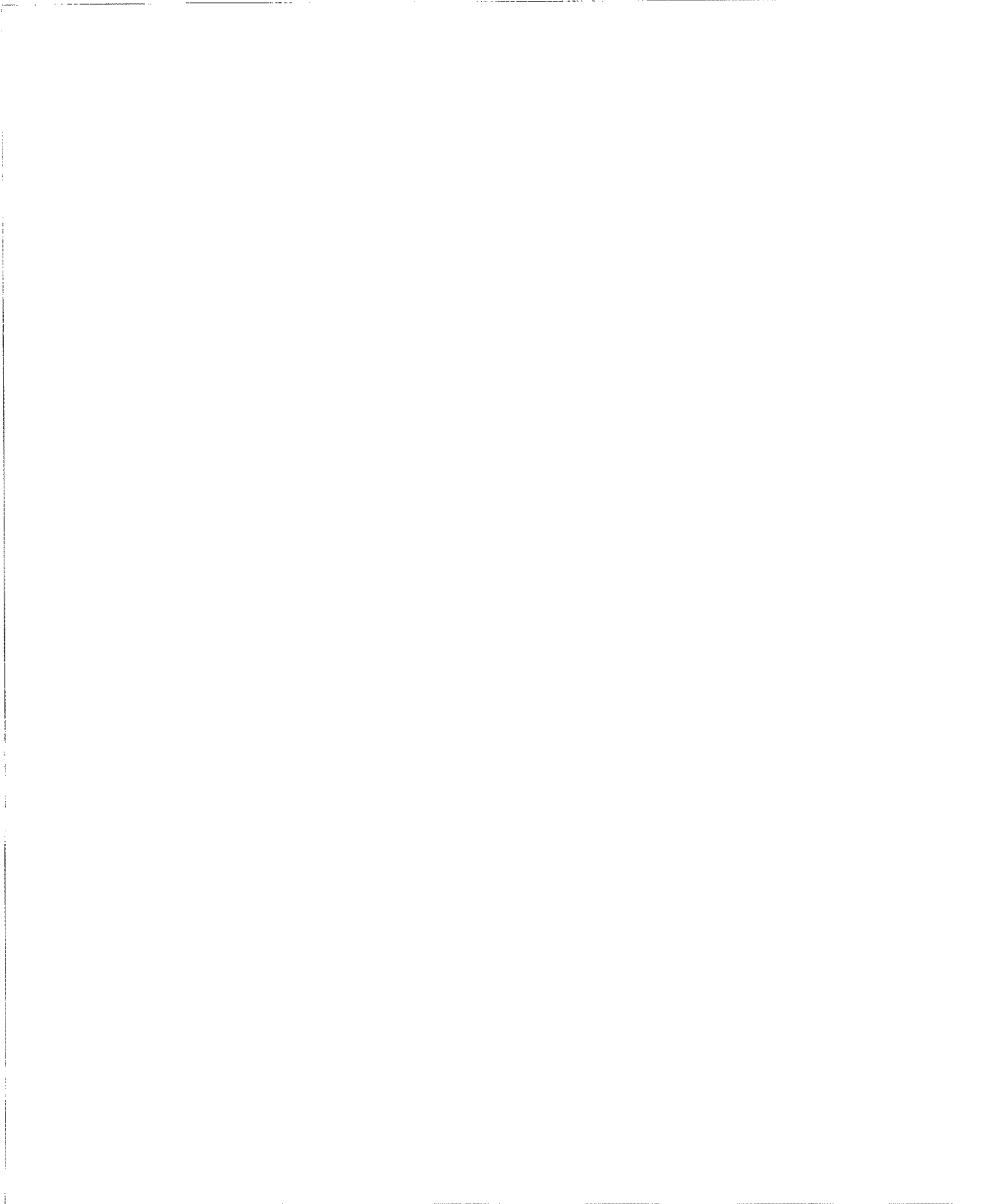


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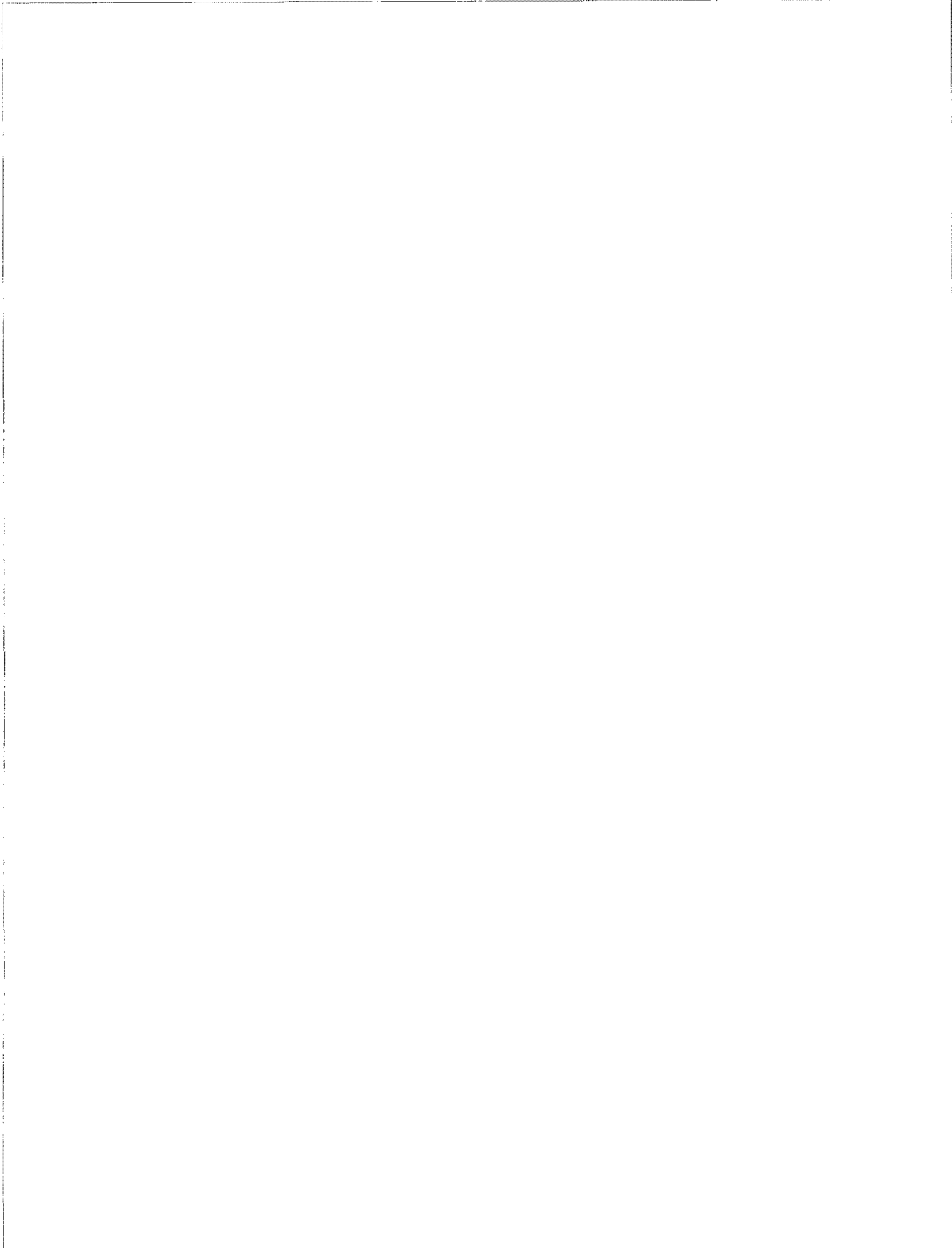
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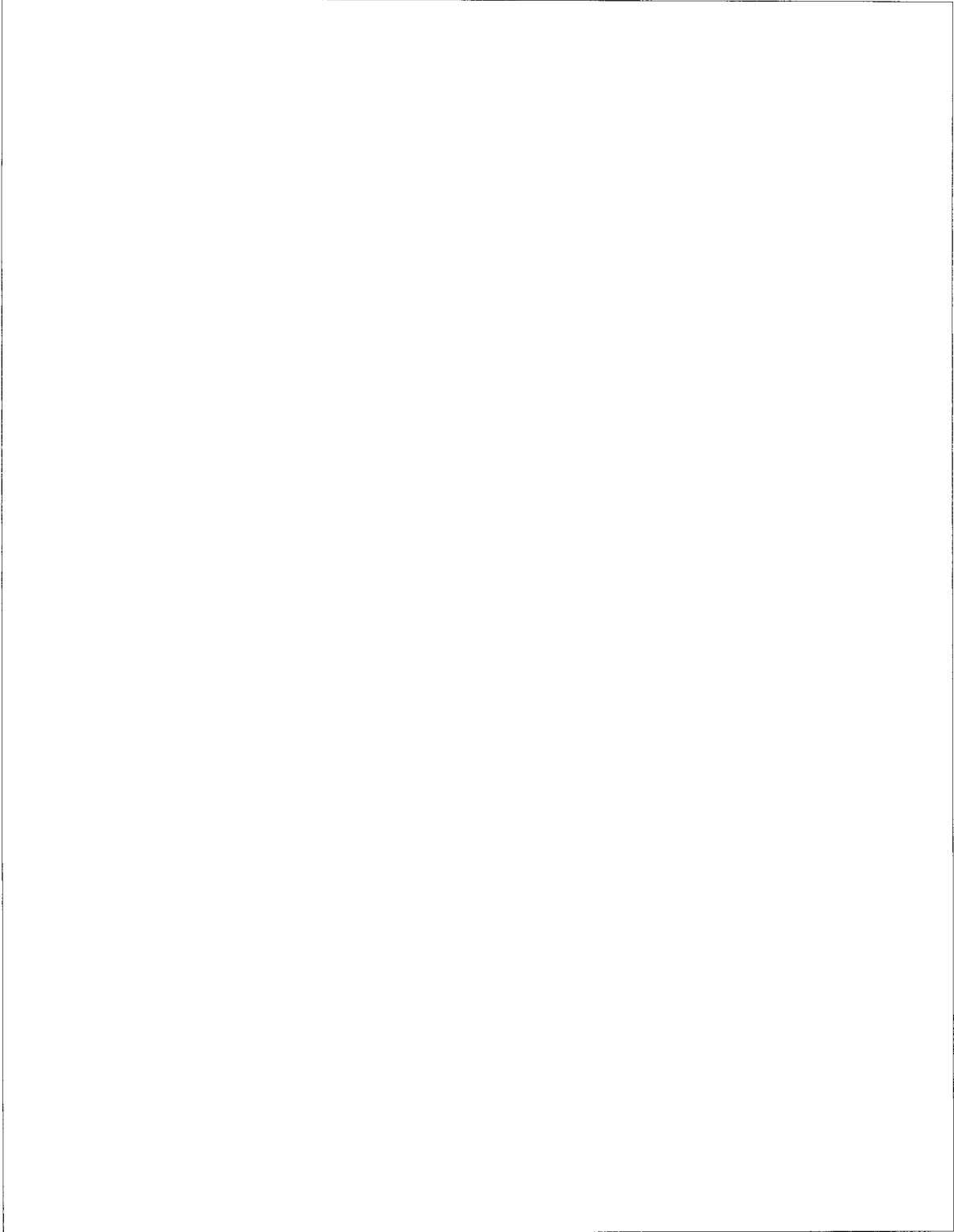
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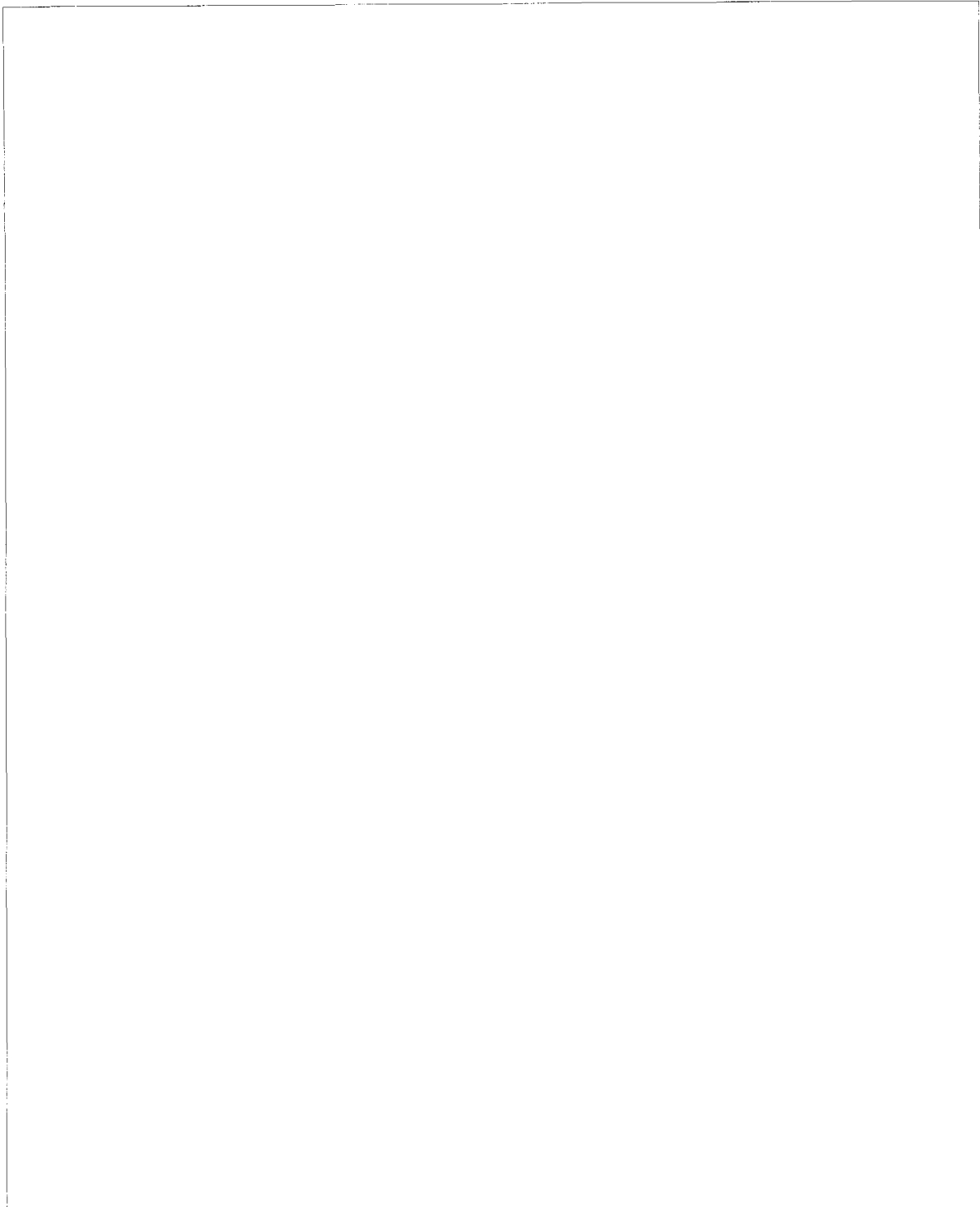
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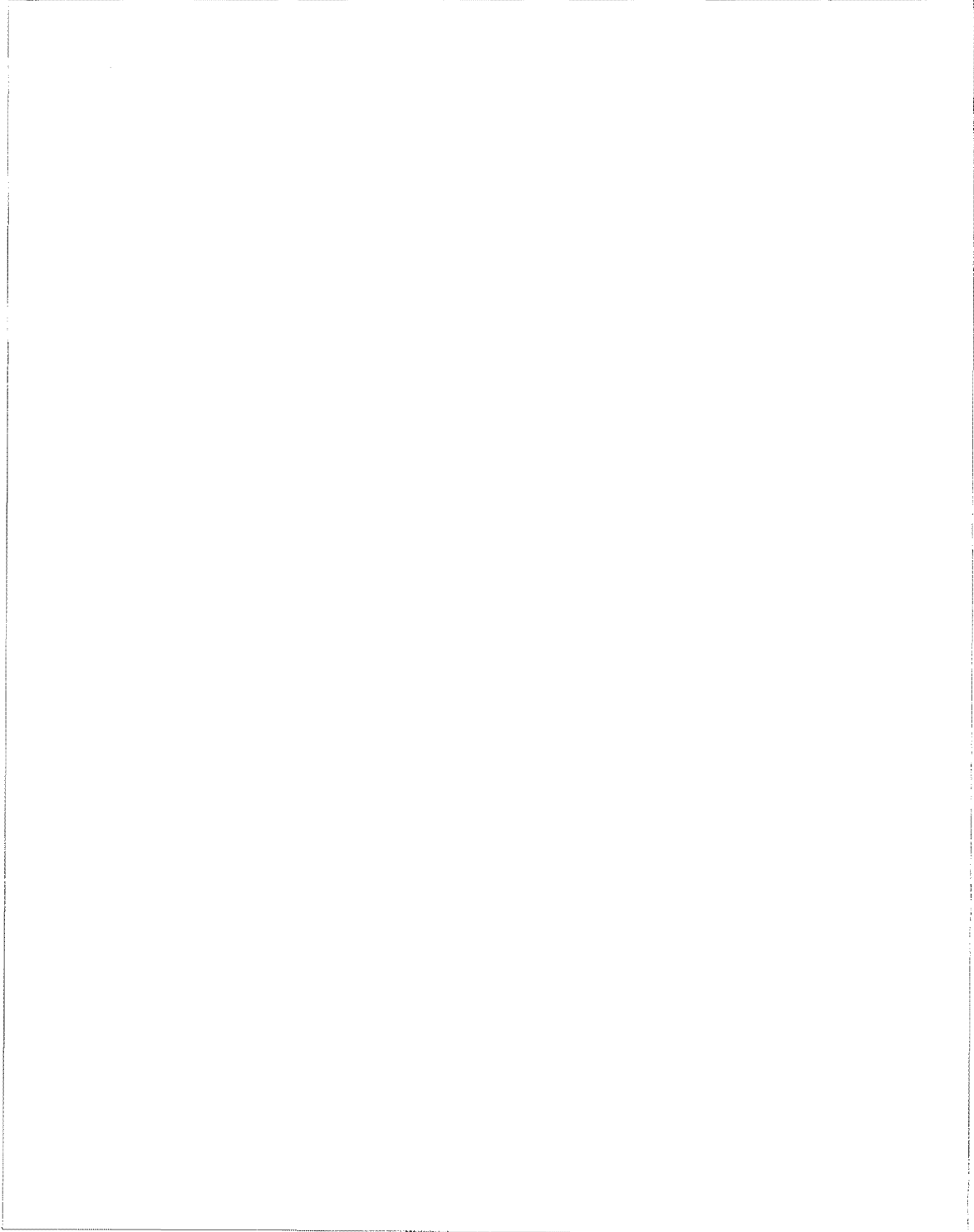


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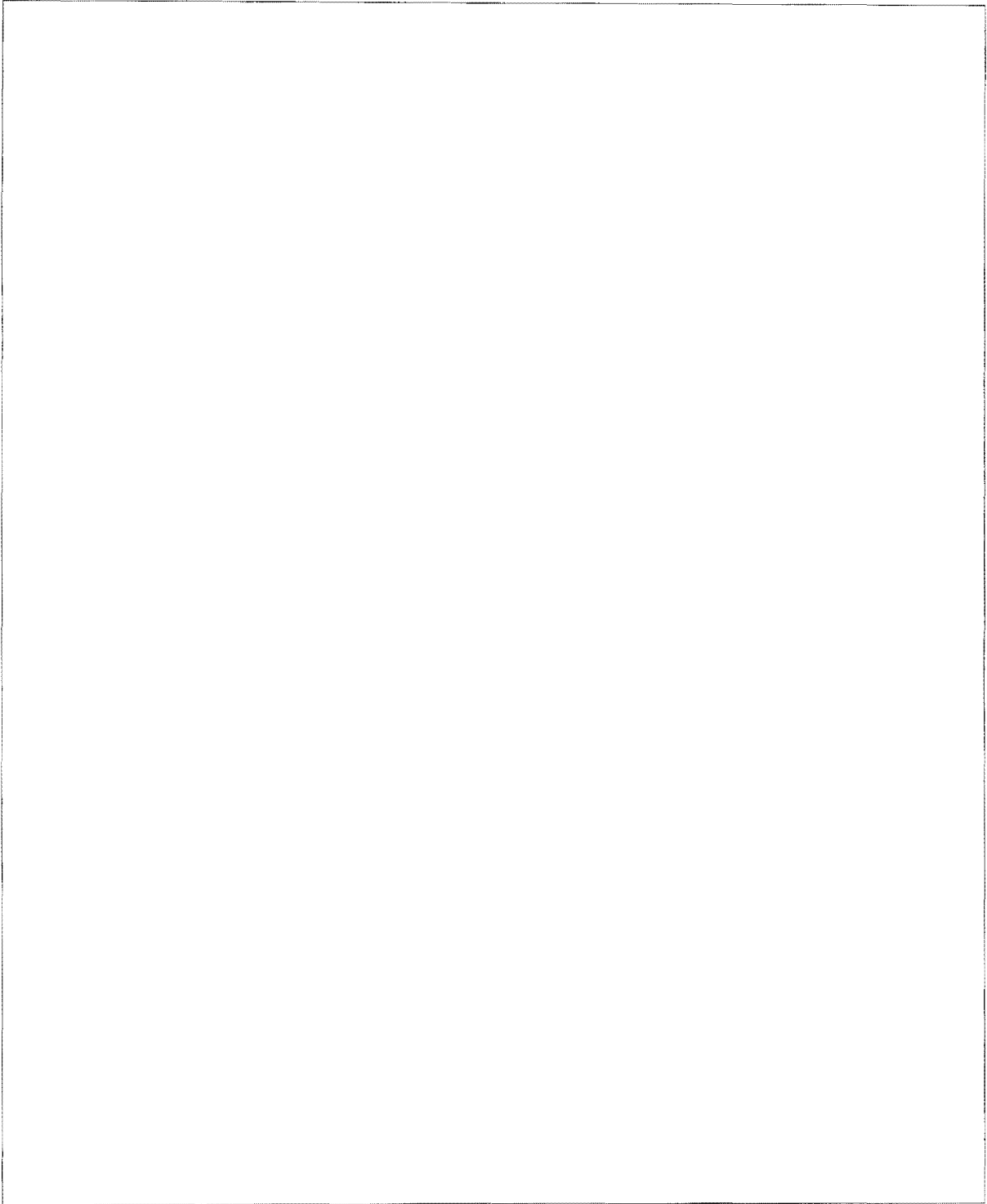
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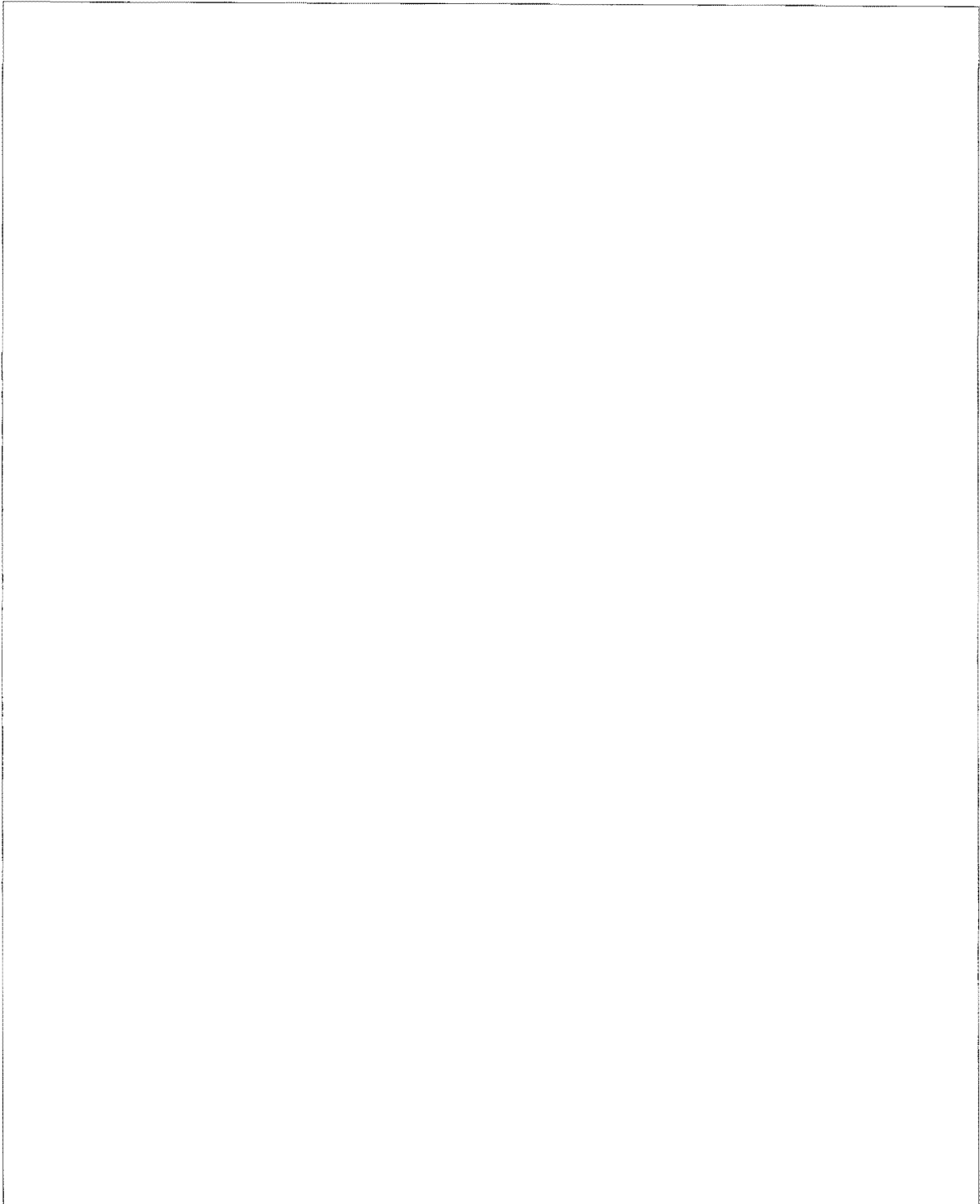
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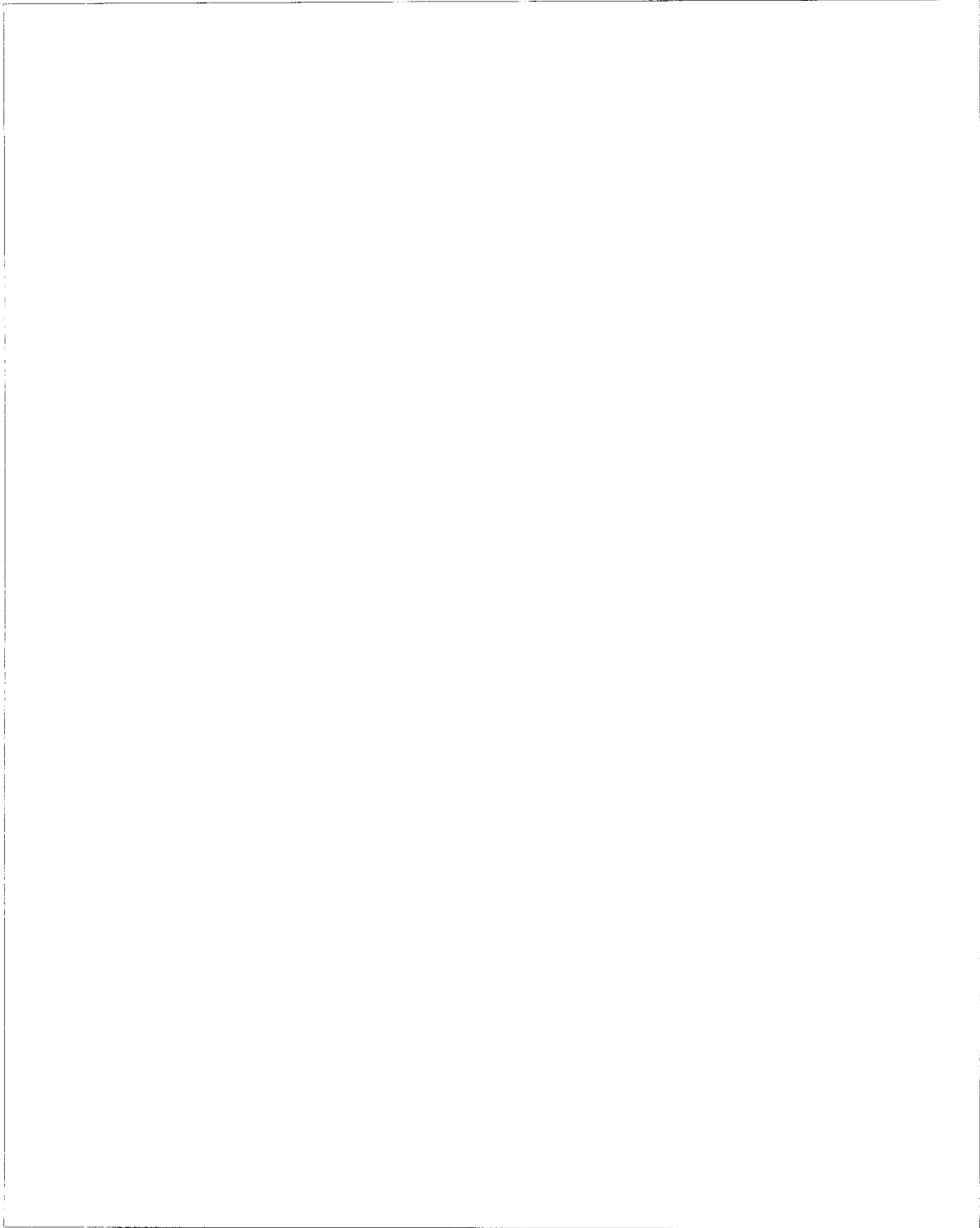
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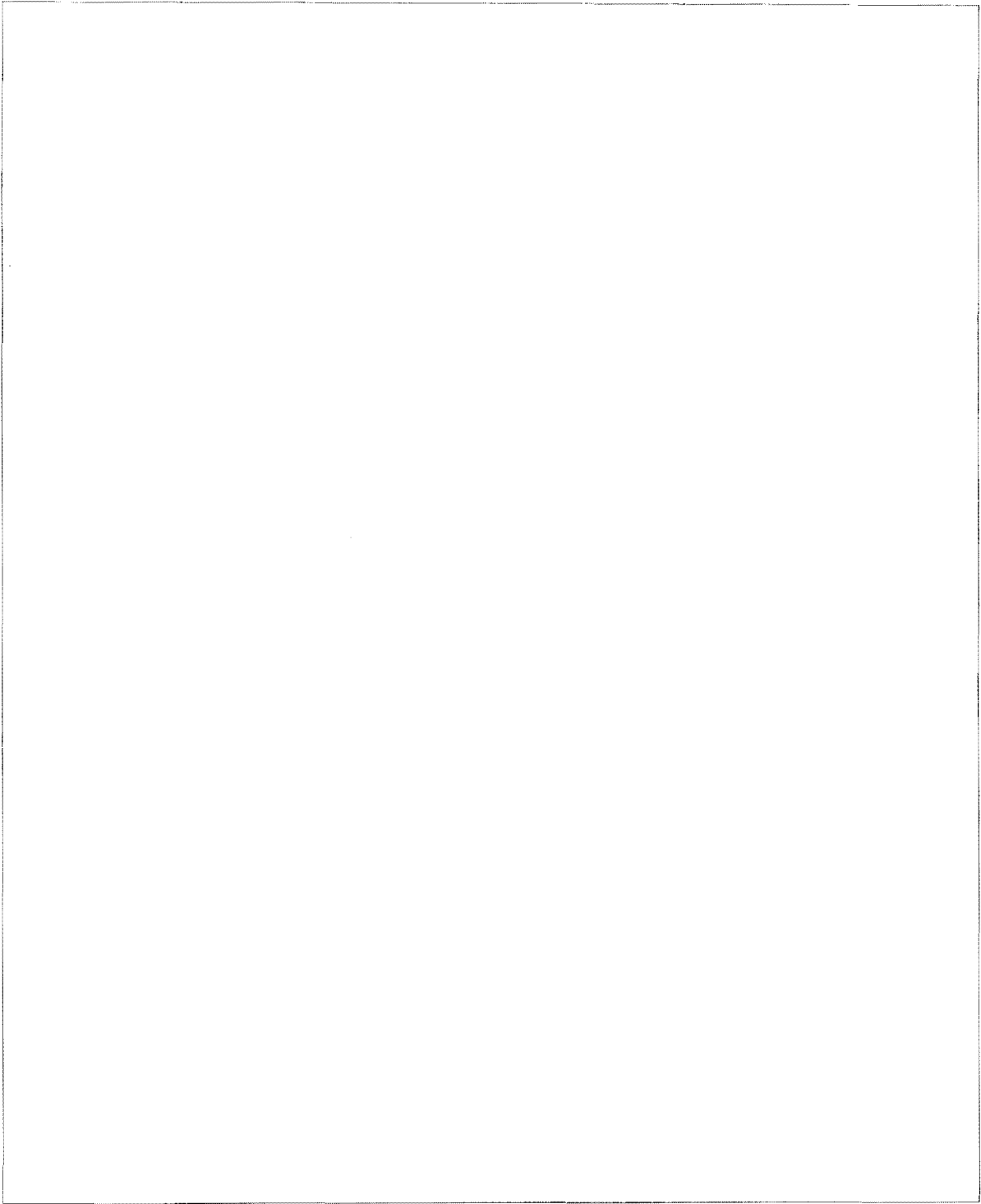
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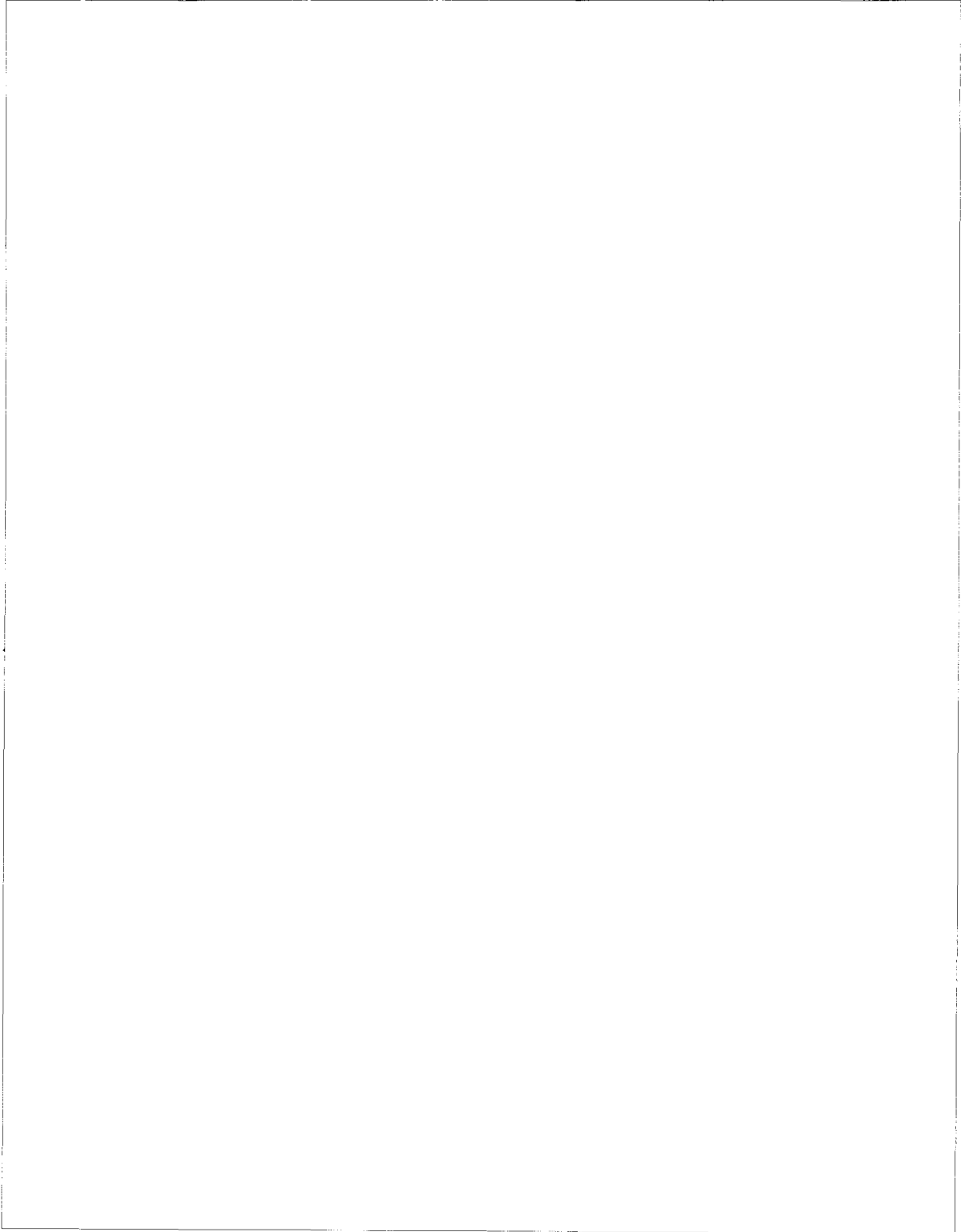
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APPENDIX K

Weekly Visit to La Cabana Fortress Prison

APPENDIX K



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## APPENDIX K

5 December 1960

SUBJECT: Weekly Visit to La Cabana Fortress Prison

Today I delivered six cartons of cigarettes and a box of cigars to the four Americans detained at La Cabana. While talking with the men, Dr. Colomar also called on them. He said their case is still with the Ministry of Armed Forces awaiting a decision as to whether or not it is within the jurisdiction of the Military Tribunals.

I explained to Taransky, Carswell and Danbrunt the recommendation I had made regarding the news of their families. They thought this an excellent idea, i.e., that the families write short notes to be read by me and the news therein passed on orally to the men. Carswell and Danbrunt were especially pleased. Danbrunt said he has two children and Carswell six. The main news they would especially like is just to know that the families are well.

I asked the men if there was any particular thing they would like their families to send for Christmas. They said no, but requested that I arrange to bring them an electric frying pan. They preferred this over a hot plate (after much discussion between them) as the heat element can be controlled. I explained it would be difficult to find an electric frying pan in Habana but that I would see if one could be sent from the U.S.

The weather has been chilly lately and the men requested light jackets and sweaters, etc., Dr. Colomar said he would attend to this and submit his bill for expenses to Mr. Murphy.

In order to furnish as much information [as possible] to the families of the men, I questioned them closely regarding their daily habits and schedule of the prison. I told them this information would be relayed to their

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relatives together with any other facts that they would like to have known.

Their daily schedule is as follows:

Around 5:30 a.m. daily the cooks start work in the kitchen and the sweepers start sweeping the open patio. Around 7:00 a.m. the guards unlock the various cells (there are 12 cells each containing from 40 to 50 men - the cells are approximately 40 feet wide by 75 feet long with ventilation at both ends). After roll call the men are permitted to leave their cells and have breakfast. This meal is from 7:30 until 8:00 a.m. and consists of black coffee and bread. After breakfast the prisoners are permitted to walk about the patio all day until 9:00 p.m. at which time they are returned to their cells and locked in for the night. From 9:00 p.m. until 11:00 p.m. the men pass the time in their cells reading, talking or playing cards. Card playing is not officially permitted but is overlooked. Lights go off for the night anytime from 11:00 until 11:30 p.m. and during the night hours the only person permitted to enter the prison not officially on duty is the Chief of the Prison, 1st Lt. Manuel FERNANDEZ Contreras.

Lunch is served to the men anytime from 11:00 a.m. until 1:00 p.m. and dinner around 5:00 p.m. Both meals are usually rice and beans with an occasional piece of poor quality meat.

In the afternoons the prisoners are permitted to organize a baseball game. The four Americans do not take part in these games. They explained their non-participation due to the game being played in bare feet and they did not relish the idea of running around the cobblestone patio barefooted where there is an ample amount of spittle to be stepped in. The four Americans have, however, managed to keep themselves in excellent physical shape by doing physical exercises. Carswell said his weight was the same as when he was first detained but he had lost two inches around his waist. Taransky said he had actually gained weight. Danbrunt's weight has remained the same but he appears stronger. All four men said they lost weight during their first few weeks of detention at the time they were held at G-2 headquarters on 5th Avenue and 14th Street. They all added that they have gained

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their lost weight back. They attributed their good physical condition to the extra food that is brought to them as it would not be possible to maintain their good health on the prison fare.

Taransky gave Dr. Colomar his Rolex wristwatch to have cleaned and repaired if necessary. He thinks it only needs cleaning. It is an automatic winding type and the other men kidded him saying the only thing wrong with the watch was that Taransky did not move enough to make the hands run.

The men expressed a desire to have reading material of the following type: *Life*, *Time*, *Playboy*, *Saturday Evening Post*, and *Esquire*. Danbrunt asked for a magazine called *Aviation Week* published by McGraw Hill. He said he is not an aviator but an engineer and the magazine contains technical information he enjoys reading.

Danbrunt said he had an ingrown toenail removed by the prison doctor. Carswell also has an ingrown toenail and the others were kidding him about his fear of having it removed. Danbrunt also has a slight skin infection. He said the doctor examined him and found it a mild condition due to the change in the weather. The doctor gave him a prescription and Danbrunt, in turn, gave the prescription to Dr. Colomar to have filled.

Taransky, Danbrunt, and Carswell said they felt reluctant to request so many things, such as sweaters, jackets, frying pan, etc., feeling the expense was too much. I did my best to reassure them that expense was no problem, that their "relatives" wanted them to have everything they needed that was within the prison regulations.

While talking to the men, 1st Lt. FERNANDEZ Contreras entered the room. He was dressed in a leather jacket, green army uniform and an officer's dress sword at his side. He appeared in a cheerful mood. He had earlier informed me on the telephone that I was permitted to bring the men cigarettes and cigars but no canned food. He said the restriction on canned or other preserved food was a temporary measure. During Colomar's conversation with Contreras, Contreras explained the reason for his order. It was, he said, because Major William Morgan was now out

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of solitary confinement and free to mingle with other prisoners in the patio. Contreras said he had reason to believe Morgan was planning a prison breakout or riot. For this reason, Contreras said, he was stopping the prisoners from hoarding canned food. This was so the prisoners could be brought under control, if necessary, by withholding their food. If a supply of canned food was available, he said, the prisoners would be able to continue a riot as long as their food supply lasted.

Recently the men arranged to have hot food brought to them. [redacted] (b)(1)

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[redacted] It is usually chicken, hams, etc. Due to the weather being cool, the men have managed to stretch this supply from 5 to 6 days.

We visited with the men for about one hour. Contreras remained in the general area. Rather than prolong the visit and risk Contreras' displeasure, we all agreed that the visit had already gone past the usual expected time. The men returned to the patio and I returned to the Embassy with Colomar.

I showed Dr. Colomar Mr. Murphy's letter dated November 15. He said he was glad to hear from Mr. Murphy but did not want to take the letter with him for his files as it was addressed in care of me with the address of the Embassy. Colomar would like Mr. Murphy to write another letter using his Habana address. Colomar also expressed an interest in knowing Mr. Murphy's reaction to the memorandum Colomar circulated through Dr. Lona to members of the tribunal.

Colomar also said Dr. Longa had requested him to return to his office this Wednesday, December 7, to ascertain whether or not there was any news regarding the decision of the Ministry of Armed Forces.

Action Requested:

I suggest Mr. Murphy have forwarded through the pouch an electric frying pan (110-115 V. A. C.), small transistor radio, and subscriptions to magazines as indicated in this memorandum. They should be addressed to the individual

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men to make delivery at the prison easier.

Mr. Murphy might also write another letter to Dr. Colomar using Colomar's Havana address. Colomar is running a risky life handling this case and has indicated he would like a "pat on the back" occasionally.

For Christmas the relatives of the men might send small parcels containing items such as those sent to men overseas during World War II, e.g., candy, sewing kits, and other odds and ends avoiding canned food. I think this would not harm their case and would appear to be the normal thing expected.



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Hugh D. Kessler

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APPENDIX L

Illustrations

(Note: Photos will be found only  
in Copies 1 and 2 of this history.)

APPENDIX L

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