

INFORMATION ACT TESTED IN OREGON

Amended Law Is the Basis
of Suit for C.I.A. File

2/21/75
Special to The New York Times

PORTLAND, Ore., Feb. 20— Charles O. Porter, former Oregon congressman, filed suit today in Federal District Court in what may be the first test in the nation of the recently amended Freedom of Information Act.

Mr. Porter filed suit to force the Central Intelligence Agency to provide him copies of a file the agency has on him. Mr. Porter has filed under provisions of the act that require Government agencies to provide its files on a person within 30 days of a request by that person.

Mr. Porter is seeking the file he says the agency has concerning his 1963 trip to Cuba when he visited Cuba's leader, Fidel Castro. Mr. Porter was in Cuba to collect research for an article for the now-defunct Book magazine. In recent letters to Mr. Porter, the agency has not denied that it gathered the file, but it has said that it was searching for the information. Mr. Porter said that the agency had had enough time to find the file since his request last December.

Mr. Porter said that he knew the agency had a file on him because he was debriefed after his Cuban visit by a C.I.A. agent based in Portland.

The American Civil Liberties Union told Mr. Porter that it would support his suit as the test case of the information act.

Mr. Porter said that he wanted to see the file to determine why Mr. Castro had not allowed him to return to Cuba. He said that he had learned that Mr. Castro suspected him of being linked to the agency.

Castro's implication was that I was spying on him for the C.I.A., whereas in fact the transcript of my debriefing will show that I gave no adverse information about Castro or his Government," Mr. Porter said in a recent letter to Lyman Kirkpatrick, the agency's executive director.

Mr. Porter continued, "I have to conclude the leak to Castro came because of something you or someone else for the C.I.A. did calculatedly in order to make my return to Cuba impossible."

Mr. Porter said that the agency did not want him to return to Cuba "because I am a friend of Fidel Castro."