

Route 12 - Old Receiver Road
Frederick MD 21701

April 17, 1979

Tom Bates, Editor
Oregon Magazine
Portland, Oregon 97200

Dear Tom Bates:

A hasty offer of help if you get sued for publishing your CIA story.

I have had much experience with the CIA and other spookeries in Freedom of Information cases. Their perjury on "national defense" claims is SOP and always, without exception, supported by the government's lawyers. I have court records that remain without dispute on this. They include my providing proof that the CIA had already disclosed what it swears must be withheld under "national security." Even after I notify them that they have sworn falsely, in private communications to avoid the scandal that would come from attention to court records, they do not respond, do not relieve the perjury and actually persist with it before judges who do not question them or fear to.

They have actually claimed under oath that not to withhold the name of a newspaper and of a hotel could lead to the breaking of diplomatic relations and other horrors by locating a station in a country. They claim under oath that they have to withhold identification of the countries in which they have operations yet like newspaper and hotel names until recently they never withheld them. And who doesn't know?

Like me, you may be caught up in a spook campaign against the people's right to know what government does, the words and spirit of the FOIA. They seek to misuse these meaningless things to an end, to be able to suppress, with what they establish in one case being used in all others. So they look for what they think they can get away with for use where they really do fear embarrassment from disclosure.

My lawyer is Jim Lesar, 910 16th St. NW, Washington, D.C., 20006 (Suite 600); telephone 202/223-5587, home 484-6023.

The investigatory files exemption of FOIA was amended over one of my suits in which the FBI prevailed by serious misrepresentation. This resulted in the opening of investigatory files where there is no harm. So hurray for your standing up for the First Amendment because some good may come of it.

Sincerely,


Harold Weisberg

Oregon Magazine Editor Defies CIA Censor Order

APR 4/17/69
PORTLAND, Ore., April 16 (AP)—The editor of Oregon Magazine defied a CIA order to censor 16 words from an article about spying on Idi Amin in Uganda and started the presses rolling today for the May edition.

"If the federal government really wants to censor these words, it should immediately seek a restraining order, because it is our intention to go ahead and publish them as originally scheduled," said Tom Bates, the 35-year-old editor of the magazine.

Oregon Magazine has a circulation of 46,000 and publishes news for and about Oregon. The magazine is scheduled to reach newsstands on Friday.

The 16 words are part of a 7,000-word article entitled "I Was Idi Amin's Basketball Czar." It is a humorous account of how former spy Jay Mullen set up a basketball team as a cover-up for his activities in Uganda. Mullen now lives on a farm near Medford, Ore.

John Greaney, associate general counsel for the CIA, met with U.S. Attorney Sidney Lezak today to determine whether to request an injunction against publishing the words.

Lezak's office refused to comment on what was discussed, referring all calls to the Justice Department in Washington.

In Washington, chief Justice Department spokesman Terrence Adamson said: "It sounds to me like the publisher is trying to take the media for a ride at the government's expense."

Adamson said the government never threatened an injunction, and "if we want to sue someone, we'll decide on our own basis, not his."

Bates said he submitted the article to the CIA March 23 as required in an agreement the federal agency has with all its former agents. Bates said he didn't hear from the CIA until last Tuesday, and Greaney didn't arrive with a list of deletions until Thursday night.

"We were astonished at the extensive list of deletions they brought in Thursday night," Bates told a news conference today. "Oregon Magazine feels it has cooperated as fully and reasonably as possible with the CIA's last-minute demands."

The editor said he agreed to 28 sep-

arate deletions, but drew the line at the remaining 16 words, which are contained in two clauses in consecutive sentences.

"I think there's a First Amendment question here," Bates said. "I think there is a question of reasonableness. And I think it's unusual because this is probably one of the few nice articles written about the CIA."

Bates said the CIA believes the 16 words would have "a so-called chilling effect on their relations with certain governments and in the world in general."

"People would just shrug their shoulders if they knew what those 16 words were," he said.

Bates said the magazine agreed to any deletions that might endanger lives in Uganda.

"This isn't the sort of article we'd risk anybody's life over," he said.