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C.I.A. Is Ordered to Explain Position on Missing Colorado Professor

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DENVER, Sept. 25—Judge Richard P. Matsch of the Federal District Court in Denver has ordered the Central Intelligence Agency to explain why it cannot disclose information about a missing University of Colorado professor.

Judge Matsch gave the agency until Oct. 26 to explain its position.

The case focuses on Thomas Riha of Boulder, a 40-year-old associate professor of Russian history who vanished March 15, 1969.

Martin B. Buckley of Denver, the attorney representing Mr. Riha's estate, said he needed C.I.A. information to learn if Mr. Riha was dead or alive and determine the disposition of the estate. Some of Mr. Riha's acquaintances suspect he may have been an intelligence agent.

Mr. Buckley has asked the Federal court to order a trial to determine whether the C.I.A. may withhold information on Mr. Riha under exemptions from the Freedom of Information Act.

Names of Three Deleted

In February, Mr. Buckley asked the C.I.A. to furnish all documents the agency had on the disappearance and whereabouts of Mr. Riha. Mr. Buckley specifically requested copies of two memorandums describing reports that Mr. Riha was seen in 1973 in Bratislava, Czechoslovakia.

The C.I.A. furnished two memos but the name of the person who is said to have seen Mr. Riha was deleted, as were the names of three other persons to whom the alleged sighting was later reported. Mr. Buckley said he was entitled to the information under the Freedom of Information Act and he insisted that the agency furnish the four deleted names as well as other documents about Mr. Riha.

In July, the agency said the deleted portions of the memos could not be furnished to the Riha estate because they were exempt from the Freedom of Information Act.

The C.I.A. said that the withheld information related to intelligence sources and methods, C.I.A. organization and the names of C.I.A. employees.

At a pretrial conference Wednesday, Judge Matsch ordered the C.I.A. to explain its position in detail and to provide Mr. Riha's estate with the results of any agency search for documents pertaining to his disappearance and whereabouts.

Senator Gary Hart, Democrat of Colorado, said in February that the Senate Intelligence Committee had learned that the C.I.A. considered using Mr. Riha as a "source of information" while he was an exchange student in 1958-59 at the University of Moscow.

The agency started "processing" Mr. Riha but canceled its plan without ever getting in touch with him, Mr. Hart said. The Senate committee was assured by the agency that it had never employed Mr. Riha as an agent but said it could not say whether Mr. Riha might have worked as an agent for the Soviet Union or his homeland, Czechoslavkia, Mr. Hart said.