

Evidence of Prior Knowledge

by William F. Jasper

Did agents of the FBI, ATF, DEA, Marshals Service, or other federal agencies have foreknowledge of a plot to blow up the Murrah Building? If so, was it acquired by wiretaps or other technical means? Were we warned by foreign intelligence sources? Or did these or other federal agencies have informants or agents actually operating within the bombing conspiracy? If specific knowledge of the planned terrorist act was indeed in the hands of federal law enforcement departments ahead of time, why was appropriate action not taken to avert the deadly disaster?

A growing mountain of very troubling evidence and an increasing lineup of witnesses prompt these questions. THE NEW AMERICAN first examined the issue of prior knowledge in our December 11, 1995 issue in a detailed report which presented a host of documents, witnesses, and jarring discrepancies indicating advance warning of the April 19th bombing. Despite repeated official denials of any forewarning, proof continues to mount that there was widespread knowledge in the federal law enforcement community that a “major event” was coming down.

Where Was the ATF?

THE NEW AMERICAN has reported previously on the evidence fueling charges that the ATF (Bureau of Alcohol, Tobacco and Firearms) must have been privy to information of an impending attack on that fateful April morning. Bombing victim Edye Smith, whose two young sons Chase and Colton were killed in the Murrah Building’s day-care center, first drew America’s attention to troubling rumors of an ATF tip-off during a live CNN broadcast in which she asked: “Where was ATF? All 15 or 17 of their employees survived, and they lived — they’re on the ninth floor. They were the target of this explosion, and where were they? Did they have a warning sign? And did they think it might be a bad day to go into the office? They had an option to not go to work that day, and my kids didn’t get that option. Nobody else in the building got that option. And we’re just asking questions, we’re not making accusations. We just want to know, and they’re telling us, ‘Keep your mouth shut, don’t talk about it.’”

Lester D. Martz, special agent in charge of the Dallas ATF office, responded to the grieving young mother’s concerns in a May 23rd press release: “I strongly suspect that these malicious rumors are fueled by the same sources as the negative rhetoric that has been recently circulating about law enforcement officers. The facts are that ATF’s employees in Oklahoma City were carrying out

their assigned duties as they would any work day, and several of them were injured in the explosion.”

Moreover, claimed Martz, “Several ATF employees were actually heroes on April 19th.” His press release then went on to relate an apocryphal tale of heroism:

ATF’s Resident Agent in Charge Alex McCauley was with a DEA agent in the elevator when the bomb exploded. The elevator dropped in a free fall from the eighth floor to the third. The two men were trapped in the smoke-filled elevator.... On their fourth attempt, they managed to break through the doors and escape from the elevator. The agents made their way to the stairwell and brought with them 10 or 15 people they found along the way....

“Pure Fantasy”

Incredibly, this tale was accepted as gospel by the media without any verification whatsoever. However, one reporter, J.D. Cash of the *McCurtain Daily Gazette* in Idabel, Oklahoma, did his homework and discovered a fatal flaw. Cash interviewed members of the elevator inspection and repair crew who were at the site scant minutes after the explosion. Repairman Duane James told the *Gazette* that McCauley’s story was “pure fantasy.” James said that he and other members of his crew checked and double-checked each elevator that terrible morning to make certain that no one was trapped inside.

According to James, the elevators were equipped with safety switches to protect against excessive speed and acceleration. “None of those switches were tripped on any of the elevators in that building,” James told the *Gazette*. “I, along with other men with our company, checked the equipment several times. Absolutely no elevators dropped that morning.” In fact, said James, it is impossible for modern elevators like those in the Murrah Building to drop “unless you cut the cables, because they are counter-balanced to protect occupants from just that sort of danger.”

Oscar Johnson, president of Midwestern Elevator, the company which employs Duane James, agreed that the falling elevator scenario could not be true. “None of the elevators fell,” Johnson told *The New American*. “All of the elevators’ cables were intact.” Moreover, Johnson pointed out that, if a free-fall of five stories had occurred, those inside would have suffered severe injuries.

Johnson said that on the morning of April 19th, two of his technicians were about to begin an inspection of the Murrah Building’s elevators when the bomb went off. The men had met with a General Services Administration inspector at the federal courthouse across the street from the south side of the Murrah Building at nine o’clock. All three men were walking through the tunnel under 4th Street to the Murrah Building when the explosion occurred. Within just a couple minutes of the

blast they were at the scene of the devastation, checking elevators, assisting survivors, searching for trapped victims, and removing bodies.

“Within about eight to ten minutes, we had about ten people at the scene,” Johnson told THE NEW AMERICAN. Getting the elevators operational again was a top priority for the rescue effort. Johnson, who had serviced the Murrah Building elevators for many years and was intimately familiar with the building, insists that the ATF account of Agent McCauley’s elevator fall simply could not have happened. The New American has examined many of the dozens of photographs taken by Johnson and others of the elevators, elevator shafts, cables, pulleys, and safety switches; they bear out his assertion that the cable systems and switches were all intact.

While the obvious ATF fabrication about the falling elevator does not prove that the ATF had prior knowledge about the bombing, it does seriously impeach the credibility of ATF spokesmen and the veracity of the agency’s assertions and denials. This is important to keep in mind when assessing other serious challenges to the official ATF storyline.

Early Admission

On September 12th, television station KFOR, Oklahoma City’s NBC affiliate, broadcast interviews with three witnesses who attested that ATF agents admitted to them to being tipped in advance of the bombing. The witnesses, whose identities were shielded in “shadow” interviews, arrived at the bomb scene shortly after the blast. The first witness worked just a few blocks from the Murrah Building and rushed to the explosion site minutes after the blast to find his wife who worked inside the bombed-out building. He and his wife knew many of the ATF personnel, since she worked in close proximity to them in another federal agency. Spotting an ATF agent whom he did not recognize, the husband asked him to contact other ATF agents to see if his wife had been found. The witness told KFOR’s Brad Edwards that the ATF agent “started getting a little bit nervous. He tried reaching someone on a two-way radio, [but] couldn’t get anybody. I told him I wanted an answer right then. He said they were in debriefing, that none of the agents had been in there. They’d been tipped by their pagers not to come in to work that day. Plain as day out of his mouth. Those were the words he said.”

The second witness interviewed by KFOR was the first witness’ boss. He was standing with the first witness when the ATF agent made the comments, and he confirmed to KFOR the accuracy of the first witness’ testimony. The third KFOR witness was a female rescue worker. When she asked an ATF agent on the scene if any of his fellow agents were still in the building, she was told that the agents “weren’t here” at the office that morning.

We have interviewed the first witness and find his story very convincing. He has nothing to gain and much to lose by coming forward. His wife, who survived the

explosion, sustained serious injuries and he does not want to subject her to additional stress from controversy. Moreover, in spite of her blast-related disabilities, she has been able partially to resume her former job — a job that provides important income, a job that they are fully aware is susceptible to political pressure and termination if they become too vocal.

Denial and Confirmation

Was the Oklahoma City Fire Department given advance warning of a terrorist attack immediately before the bombing? Apparently so. Glenn Wilburn, grandfather of bombing victims Chase and Colton Smith, had heard several reports concerning FBI tipoffs to the fire department before the blast and decided to check them out for himself. When he asked Assistant Chief Charles Gaines about the matter, he was met with denial. Walking out of the chief's office, he went down the hall to the office of Chief Dispatcher Harvey Weathers and asked the same question. "Harvey said yes, they had received a message from the FBI on the Friday before the bombing that they should be on alert," Wilburn told THE NEW AMERICAN. He said he then told Weathers, "Well, you're going to be surprised to learn that Chief Gaines' memory is failing. He says it never happened." According to Wilburn, Weathers then responded, "Well, you asked me and I told you. I'm not going to lie for anybody. A lot of people don't want to get involved in this."

According to Wilburn, two other dispatchers corroborated Weathers' story about the Friday warning from the FBI. After reflecting on the discrepancy between the response of Chief Gaines and the replies of the dispatchers, Wilburn told THE NEW AMERICAN, "Actually, both accounts are probably correct. When I asked Chief Gaines, I was under the impression that the [FBI] warning had come in on Monday. So when he said 'No,' he was obviously being sly, knowing that it had come in on Friday and that I was off by a few days. So he could deny it without actually lying."

The matter might be resolved by the fire department's radio log tapes — except that the department claims the tapes for the period in question were "accidentally" recorded over. The department is also fighting a subpoena of the dispatchers by the Wilburns in their civil suit filed against Timothy McVeigh.

Judicial Forewarning

On December 1, 1995, U.S. District Judge Wayne Alley was removed as the presiding judge in the bombing case shortly after it was revealed that he had received warning of stepped-up security and increased concern over bomb threats before the April 19th explosion. Alley, who had been appointed to the case on August 10th, had been challenged by defense lawyers who contended he could not be impartial since his judge's chambers, along with the entire federal courthouse across the street from the Murrah Building, had been so

heavily damaged. That line of argument did not seem to be making any progress, however, until the matter of prior knowledge was introduced.

On April 20th, the day after the explosion, the *Oregonian*, Oregon's largest daily newspaper, interviewed Judge Alley, who was born and raised in Portland, Oregon. Reporter Dave Hogan wrote in the *Oregonian*:

As a federal judge whose office faces the Alfred P. Murrah Building across the street in Oklahoma City, Wayne Alley felt lucky that he didn't go to his office Wednesday....

The judge said the bombing came just a few weeks after security officials had warned him to take extra precautions.

"Let me just say that within the past two or three weeks, information has been disseminated ... that indicated concerns on the part of people who ought to know that we ought to be a little bit more careful," he said.

Alley ... said he was cautioned to be on the lookout for "people casing homes or wandering about in the courthouse who aren't supposed to be there, [and] letter bombs. There has been an increased vigilance."

Had Judge Alley failed to show up at the office on April 19th because he had been tipped — like the ATF agents — that it might be dangerous to do so? He hasn't said, but this much is clear: As soon as the issue of his possible prior knowledge was raised, Alley was jerked from the case with amazing speed. The defense team, which had been trying unsuccessfully for months to disqualify Judge Alley, was apprised of the *Oregonian* interview and submitted it as evidence of his unsuitability on November 30th. Presto! In less than 48 hours a federal appeals court ruled that a "reasonable person could not help but harbor doubts" about Alley's impartiality. What is particularly interesting in all of this, however, is that the appeals court ruling — as well as most media coverage of it — conspicuously failed to mention the *Oregonian* story and the whole issue of prior knowledge.

"Fatwa" Death Threat?

Another puzzling hint of federal prior knowledge comes from the U.S. Marshals Service. On March 22nd, a little more than three weeks before the Oklahoma City bombing, the Newark, New Jersey *Star-Ledger* reported that "U.S. law enforcement authorities have obtained information that Islamic terrorists may be planning suicide attacks against federal courthouses and government installations in the United States. The attacks, it is feared, would be designed to attract worldwide press attention through the murder of innocent victims."

The story, by *Star-Ledger* correspondent Robert Rudolph, continued:

The Star-Ledger has learned that U.S. law enforcement officials have received a warning that a “fatwa,” a religious ruling similar to the death sentence targeting author Salmon Rushdie, has been issued against federal authorities as a result of an incident during the trial last year of four persons in the bombing of the World Trade Center in New York.

The disclosure was made in the confidential memorandum issued by the U.S. Marshals Service in Washington calling for stepped-up security at federal facilities throughout the nation....

According to the memo, the information about the threat was obtained from an unidentified “informed source” who said the death sentence was specifically directed against U.S. Marshals Service personnel....

The Marshals Service memo said the agency believes that “there is sufficient threat potential to request that a heightened level of security awareness and caution be implemented at all Marshals Service-protected facilities nationwide.”

The memo, issued by U.S. Marshals Service Director Eduardo Gonzalez, warned that attacks may be designed to “target as many victims as possible and draw as much media coverage as possible.”

No “Islamic fundamentalists” have taken credit for the Oklahoma City bombing and, as we have reported previously, the federal government is bending over backwards to draw attention away from all evidence pointing toward any involvement by Iraqis or other Middle Eastern elements. Nonetheless, details of the warning and the timing of the Oklahoma City blast seem to indicate that the memo may have pertained to the mass murder at the Murrah Building.

An Unheeded Warning

Especially alarming is the revelation that a federal informant had delivered what appears to be a very specific and accurate warning about the impending Oklahoma bombing to U.S. Justice Department officials less than two weeks before the deadly blast — only to have his warning ignored. U.S. Attorney Henry Solano in Denver confirms that his office granted immunity last September to a man who claimed to have information about a plot to bomb a federal building. This same informant delivered a letter to the Justice Department on April 6th of last year claiming to have “specific information that within two weeks” a federal building was to be bombed. The informant’s handwritten letter stated:

After leaving Denver for what I thought would be a long time, I returned here last night because I have specific information that within two weeks a federal building(s) is to be bombed in this area or nearby....

I would not ignore this specific request for you personally to contact me immediately regarding a plot to blow up a federal bldg.... If you and/or your office does not contact me as I so request herein, I will never again contact any law enforcement agency, federal or state, regarding those matters [indecipherable word] in the letter of immunity.

After the April 19th bombing, spokesmen for the Justice Department stated that they did not — and still do not — deem the informant to be credible. How then to explain that a few months earlier they had deemed him credible enough to grant him immunity? That is not a prize which federal prosecutors dispense frivolously to every “informant” who walks through the door. The informant’s immunity letter of September 14, 1994 on U.S. Justice Department stationery reads:

This letter is to memorialize the agreement between you and the United States of America, by the undersigned Assistant United States Attorney. The terms of this agreement are as follows:

1. You have contacted the U.S. Marshals Service on today’s date indicating that you have information concerning a conspiracy and/or attempt to destroy United States court facilities in [redacted] and possibly other cities.
2. The United States agrees that any statement and/or information that you provide relevant to this conspiracy/conspiracies or attempts will not be used against you in any criminal proceeding. Further, the United States agrees that no evidence derived from the information or statements provided by you will be used in any way against you....

According to the informant, he was acting as a courier transporting illegal drugs from Kingman, Arizona to Las Vegas and Denver when he discovered C-4 explosives in a delivery package. He also says he overheard discussions about a plot to blow up a federal building — or buildings — in the Midwest sometime in mid-April 1995. The man apparently had no compunctions about participating in the illegal narcotics trade, but complicity in murder and mass destruction meant taking a step beyond where he was willing to go. The alleged conspirators, he said, were Latin American and/or Middle Eastern with Arabic names.

The Kingman connection is particularly noteworthy. Kingman, of course, was home to Timothy McVeigh and Michael Fortier, and Terry Nichols is reported to have visited McVeigh in Kingman a number of times. According to our information, the informant did not report seeing any of the accused trio or hearing their names in connection with the bomb plot. However, as we have reported previously in THE NEW AMERICAN (September 4th, [“Searching for John Doe No. 2”](#) and October 16th, [“Startling OKC Developments”](#)), and in our article beginning on page 37 in this issue, reliable witnesses have identified apparent Middle Eastern accomplices in the company of McVeigh in the days prior to April 19th and on that fateful morning with McVeigh in and near the Ryder truck.

Trade Center Attack

What makes the informant's story especially disturbing is that it so closely parallels the situation in America's second most spectacular terrorist event, the World Trade Center bombing. What should have been thoroughly investigated in that case — but was instead quickly covered up by federal officials and compliant media allies — were the charges by a key federal informant and an FBI agent that the death and mayhem caused by that bombing could also have been avoided had FBI officials not ignored the repeated warnings and clear evidence provided by their own operatives.

Ralph Blumenthal opened his story in the *New York Times* for October 28, 1993 with this sensational bombshell: "Law enforcement officials were told that terrorists were building a bomb that was eventually used to blow up the World Trade Center, and planned to thwart them by secretly substituting harmless powder for the explosives, an informer said after the blast." Blumenthal continued:

The informant was to have helped the plotters build the bomb and supply the fake powder, but the plan was called off by an FBI supervisor who had other ideas about how the informer, Emad A. Salem, should be used, the informer said.

The account, which is given in the transcript of hundreds of hours of tape recordings Mr. Salem secretly made of his talks with law enforcement agents, portrays the authorities as in a far better position than previously known to foil the Feb. 26 bombing of New York City's tallest towers.

According to Salem, a former Egyptian army colonel who was able to gain access to Sheik Abdel-Rahman's inner circle while working for the FBI, he was originally supposed to substitute "phony powder" for the explosive ingredients used in the bomb, but was foiled by an FBI supervisor who "came and messed it up."

The "mess up" apparently was caused when the FBI supervisor changed the terms of the Bureau's agreement with Salem and tried to force him to testify. "But that wasn't the deal Salem had made nine months earlier. He agreed to work only undercover," according to *New York Newsday* reporters Jim Dwyer, David Kocieniewski, Deidre Murphy, and Peg Tyre in their 1994 book on the Trade Center bombing, *Two Seconds Under the World*.

FBI counterintelligence officer Nancy Floyd had tried unsuccessfully to get her superiors to take Salem's warnings seriously, *Newsday's* investigative quartet report in their book:

A few weeks after the World Trade Center bombing, one of Floyd's supervisors called her into his office and asked her bluntly what, in her opinion, went wrong back then. "I may be nailing my coffin lid down," she said. "But the bottom line

comes to this ... this thing was handled completely wrong from the very beginning.... All they wanted to do was have him testify ... *Emad had the information about the bombs and where they wanted to have them placed. If we had done what we were supposed to have done, we would have known about it ... we would have used our heads and come up with the solution of trying to neutralize the situation.*" [Emphasis added.]

Amazingly, after a few initial reports in the Establishment press on the FBI/Salem connection to the Trade Center bombers, the story fell off the media radar completely. There was no accountability for this fatal "mess up" which left six dead and over 1,000 injured.

Are we faced with a similar "mess up" in Oklahoma City? Is this another "failure" that will be conveniently swept under the rug? These are life-and-death questions that demand genuine, truthful answers. Anything less than a full-fledged investigation is an invitation to still more deceit and cover-up — and even more deadly disasters in the future.

Bomb Squad Witnesses

Multiple witness reports of bomb squad units in the immediate vicinity of the Murrah Building shortly before the explosion lend support to the contention that law enforcement and public safety officials were on a heightened state of alert the morning of April 19th.

- Attorney Daniel J. Adomitis was headed downtown for a meeting at about 7:30 a.m. when he saw a white bomb squad vehicle on the west side of the county courthouse. Adomitis told the *Fort Worth Star/Telegram*: "As I was passing the back side of the county courthouse, I noticed a truck with a trailer and the truck said 'Bomb disposal.' I remember thinking as I passed that, 'Gee, I wonder if they had a bomb threat at the county courthouse?'"
- On April 23rd, the Sunday after the bombing, the *Panola Watchman* of Carthage, Texas reported on the story of a woman identified only as "Norma" who worked in the federal courthouse building across the street from the Murrah Building. Shortly after the bombing, Norma recounted to *Panola Watchman* reporter Sherry Koonce that she had seen a bomb squad at about 7:45 a.m. as she walked to work through her building's parking lot. "There was some talk about the bomb squad among employees in our office. We did wonder what it was doing in our parking lot," she recounted to the newspaper. "Jokingly, I said, 'Well I guess we'll find out soon enough'...."
- A mother whose infant son was killed in the Murrah day-care center says she saw bomb squad personnel standing across the street from the Murrah Building

an hour before the explosion. This mother said she had just dropped her child off at the center at 8:00 a.m. and was driving south on Robinson when she saw several men in dark jackets with “Bomb Squad” in big letters across their backs standing in front of the federal courthouse.

- Two additional witnesses report seeing bomb squad personnel and vehicles just south of the Murrah Building by the IRS building about an hour before the explosion.

Federal officials challenge the witness reports of bomb units at the building prior to the blast. Lester Martz, special agent in charge of the Dallas ATF office, told the *Fort Worth Star/Telegram*, “I haven’t come across any information that any kind of a bomb unit was at the building prior to the bomb.”

— W.F.J.