

## More McVeigh Files Found; FBI Orders Massive Search

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WASHINGTON — A second batch of undisclosed records in the Oklahoma City bombing has been found in Baltimore, sources said Monday, prompting the FBI to issue a worldwide directive ordering all bureau field offices and attaches to comb their files for any more documents that may not have been turned over to Timothy J. McVeigh's lawyers.

Meanwhile, new details emerged about the contents of more than 3,000 pages of documents discovered last week-- witness statements and photographs relating to a mysterious person known as Robert Jacques, as well as surveillance tapes of sightings of "John Doe No. 2," an alleged McVeigh co-conspirator.

Although the government later discounted the existence of either person, rumors about their alleged association with McVeigh spawned endless theories of conspiracies and government cover-ups in what became the largest investigation in FBI history.

Federal officials last week discovered the 3,135 pages of new material after collecting McVeigh files from dozens of field offices across the country. After turning the documents over to McVeigh's defense team and his convicted co-conspirator, Terry L. Nichols, seven additional documents turned up late last week in the Baltimore office, sources said. The documents were expected to be delivered Monday to defense attorneys. Neither the total number of pages, nor their specific content, could be determined Monday.

Like the material found in other offices, however, the Baltimore documents were discounted by government sources, who said they have no relevance to McVeigh's guilt or innocence. Baltimore was one of dozens of FBI field offices involved in interviewing witnesses and collecting evidence in the case.

In issuing its sweeping order Monday, the FBI sought to ensure that no additional materials will surface that should have long ago been shared with the defense.

"Everybody is checking again. The whole bureau today," said an FBI source, one of several government sources who asked not to be identified because of the ongoing investigation. "Everybody is going through everything again."

A Department of Justice official said authorities are worried that if even more material is found after this latest search, it will be all the more embarrassing to federal law enforcement.

"We certainly want all the information that is available," the official said. "We want all the information that's out there."

The April 1995 Oklahoma City bombing was the largest terrorist attack in the United States, killing 168 people and injuring more than 500 others.

In the larger cache of FBI documents discovered last week, references to a Robert Jacques--whose last name sometimes was spelled "Jacquez"--crop up several times, sources said.

Shortly after the bombing, a southwest Missouri real estate broker told the FBI that three men came to his office looking to buy secluded property that was "in the middle of nowhere." He said they wanted some land with caves.

This was in November 1994, right before McVeigh and Nichols began stockpiling materials for the bomb.

The broker, William Maloney, said two of the men fit the descriptions of McVeigh and Nichols, and he recalled that the third man, who said his name was Robert Jacques, "did most of the talking."

But the government was never able to authenticate that the men were actually McVeigh and Nichols, or that Jacques ever existed.

Sources said the other newly disclosed material included photographs of people resembling descriptions of Jacques. Also in the files, the sources said, was information about the so-called John Doe No. 2.

Employees at the Ryder store, where McVeigh rented the truck to carry the bomb, insisted that McVeigh was with a second man. That man was never found, but an FBI sketch of him circulated nationwide.

The government later insisted that the Ryder employees were mistaken and that McVeigh had been alone, but the sightings of John Doe No. 2 persisted nonetheless.

In the missing files also are surveillance tapes of John Doe No. 2 look-alikes, as well as statements from various people who claimed to have seen him, sources said.

Defense lawyers are now reviewing the new material and determining how to proceed. With McVeigh's cooperation, they are likely to ask a federal judge for more time to study the documents.

McVeigh was to have been executed Wednesday. But after the FBI files foul-up, Atty. Gen. John Ashcroft delayed the execution for 30 days, until June 11.

While defense attorneys do not think 30 days is long enough to review the newly disclosed materials, Ashcroft has said he will not grant another postponement.

"The attorney general has been very generous with the time he's allowed," an Ashcroft aide said. "He thought it was a reasonable amount of time, and he's not going to delay it past the date he set. If McVeigh wants to push it, I'm sure he'll fight it in court."

Lawyers for Nichols also are trying to use the new information to help him win a new trial in federal court, or at least reduce his life sentence.

"In a case of this magnitude, where the defendant's life and liberty were at jeopardy . . . it is essential the defense have the opportunity to review and assess the withheld materials and then take appropriate action," they wrote in a petition filed with the Supreme Court late Friday and made public Monday.

Nichols' lawyers had argued earlier this year that government lawyers withheld other key documents from the defense and that the trial court failed to fully explore this issue.

The Supreme Court turned down Nichols' appeal last month.

But his lawyers argue in their new filing that "the newly discovered fact that the United States withheld . . . FBI materials casts Mr. Nichols' request for a remand for further proceedings in a much more favorable light."

In Oklahoma City on Monday, where state prosecutors hope to win a death sentence for Nichols on first-degree murder charges, a preliminary hearing that was to have begun next week was postponed indefinitely--a sign that the state judge there is also concerned about new materials.

On Capitol Hill, where several lawmakers are urging thorough reviews of FBI operations, outgoing FBI Director Louis J. Freeh is to appear at previously scheduled hearings Wednesday and Thursday. The hearings are supposed to be about the FBI's budget needs. But, said one Senate aide, "it would surprise me if there weren't a strong line of questioning about how they managed to lose thousands of pages of documents."