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9-11: New World Disorder

Heartland Conspiracy

Unanswered questions about Timothy McVeigh's and Terry Nichols' possible links to the Middle East
by Jim Crogan

It is obvious material for conspiracy buffs: Did Timothy McVeigh and Terry Nichols really act alone, or was some larger terrorist outfit behind the April 19, 1995, bombing of the Alfred P. Murrah Federal Building?

In Oklahoma City, an investigative reporter began asking the question long before the September 11 attacks on the World Trade Center and the Pentagon. Jayna Davis, in a series that aired on KFOR-TV in 1995, examined the possible existence of John Doe No. 2, a man witnesses saw with McVeigh outside the federal building moments before the bomb went off, killing 168 people. Her reports also raised questions about the purpose of several trips Nichols made to the Philippines, into areas in which terrorists linked to Osama bin Laden were known to hide out. Davis herself no longer freely talks about her work. She has been sued by a subject of her reports and advised by her attorneys not to grant interviews. Earlier this year, however, she appeared on Fox Network's The O'Reilly Factor and spoke at length about her investigation: "And what we discovered, an intelligence source at one of the highest levels in the federal government later confirmed, was a Middle Eastern terrorist cell living and operating in the heart of Oklahoma City . . . We have (22) sworn witness affidavits that tie seven to eight Arab men to various stages of the bombing plot . . . It really is a foreign conspiracy masterminded and funded by Osama bin Laden, according to my intelligence sources."

McVeigh went to his grave denying any foreign involvement in the bombing. His accomplice, Terry Nichols, swore they acted alone, and no proof of a wider plot ever surfaced.

The arrests of McVeigh and Nichols came quickly and closed the case for many. Less than two hours after the bombing, a state trooper stopped McVeigh's 1977 Mercury Marquis 80 miles from Oklahoma City because it was missing a license plate. Two days later, Nichols, who was at his Kansas farm on the day of the bombing, surrendered to police.

Minutes after the bombing, however, police radios carried a description of a brown Chevrolet pickup with "two Middle Eastern men" inside seen speeding away from the federal complex. A short time later and without explanation, police withdrew the all-points bulletin. The mystery over the truck became the starting point for Davis' investigation.

Davis found people in Oklahoma City who said they remembered seeing McVeigh meet with several men they describe as Middle Eastern in the months before the bombing. She also uncovered confidential warnings that a congressional task force issued about a possible Islamic-fundamentalist terror attack on "America's heartland" one month before the Oklahoma bombing.

Davis, in her early reports, makes it clear she is not certain of a connection between McVeigh and any terrorist group. And certainly witnesses were primed to view anyone who looked suspicious as "Middle Eastern" in the hours right after the bombing. What Davis wants, she said, is a full federal inquiry into the matter. One big-name lawyer trying to get such an investigation rolling is David Schippers, former chief counsel to the House of Representatives managers who conducted Bill Clinton's impeachment trial. "I've been practicing law for 40 years, and I know what bullshit is," said Schippers. "Jayna gave me a stack of affidavits, signed by credible witnesses, connecting McVeigh to Middle Easterners living in Oklahoma City. She also gave me a ton of supporting documents. I've reviewed this material, and

I'm convinced there are solid leads here that need to be investigated."

Schippers said he is trying to get the material to U.S. Attorney General John Ashcroft. "I made some calls, but no one would give me the time of day," he said. "I tried like hell to get to Ashcroft, but I just couldn't break through." He said he has not given up, but would not disclose his plans to get a full airing for Davis' findings.

The reports, which aired on KFOR in the months after the Oklahoma City bombing, are based on witness statements, court records, government documents and unnamed sources. A federal court order dismissing a lawsuit filed against Davis mentioned several of her findings, which include:

- A brown Chevrolet truck similar to one seen leaving the federal building had been parked a few weeks earlier -- twice, in fact -- at Samara Properties, according to two employees at the Oklahoma City property-management company owned by Dr. Samir Khalil. In 1991, Khalil pleaded guilty to insurance fraud and spent eight months in federal prison. According to court documents, Khalil denied FBI allegations that linked him to the Palestinian Liberation Organization. Six months before the bombing, Khalil had hired a group of Iraqis for painting and construction work. On the day of the bombing, a former co-worker told Davis they reacted to the news with unrestrained joy. "They even praised Saddam Hussein, vowing to die in his service," a source stated in an affidavit. On April 27, police found a Chevrolet pickup abandoned at an apartment complex in Oklahoma City, stripped of its license plate, inspection tag and other identifying numbers. It had been painted yellow, though it was clear its original color was brown. One resident told Dallas FBI Agent Jim Ellis that the driver was "clean-shaven, with an olive complexion, dark wavy hair, and broad shoulders," in his late 20s or early 30s, and of Middle Eastern descent. The resident also identified him as a Samara employee from KFOR's pictures.
- An FBI sketch of John Doe No. 2 resembled a Samara employee who described himself as a political refugee who had served in the Iraqi army. The TV station did not name him and digitized his photos to hide his identity. Later, Hussain Al-Hussaini came forward and said he was the man identified by several witnesses as possibly being John Doe No. 2, and sued the station and Davis for defamation and libel, saying he could be easily recognized from their coverage. (Al-Hussaini withdrew the state case, and a federal judge dismissed a second case; Al-Hussaini has appealed.)
- In an affidavit, a waitress said McVeigh and someone resembling Al-Hussaini came into her bar on April 15. The waitress said the man she had identified from a KFOR photo lineup "asked me if I was married. He spoke with an accent . . . a Middle Eastern accent." She also said the FBI had interviewed her, and showed her photos and sketches of possible suspects. The photos were presumably taken from surveillance cameras near the Murrah Building. The FBI took possession of videos recorded by those cameras on April 19, and has refused to release them.
- In an affidavit, Mike Moroz, a worker at Johnny's Tire Service, a few blocks from the Murrah Building, said that at about 8:30 a.m. on April 19, the day of the bombing, McVeigh pulled up in his Ryder truck and asked for directions. He insisted there was another man sitting in the truck cab. Moroz told Davis he had picked McVeigh out of a live FBI lineup. He also said Al-Hussaini, as shown in one of KFOR's surveillance photos, could have been the man he saw.
- A patron at the Social Security office at the Murrah Building, who was wounded in the blast, told Davis she was standing 12 feet away when the Ryder truck pulled up. She said she saw McVeigh and a "foreign-looking man with an olive complexion and thick black curly hair poking out of a ball cap" get out of the truck. She also gave this information to the FBI, even describing the insignia on the cap of the person with McVeigh. She identified him as possibly being Al-Hussaini from KFOR's photos.

- Employees and guests at a motel near downtown Oklahoma City reported seeing McVeigh with several Middle Eastern men in the months before the bombing. One of those men was identified from KFOR's surveillance photos of Samara Properties as possibly being Al-Hussaini. The others were identified as fellow employees of Al-Hussaini. McVeigh reportedly stayed at the motel, under the name of Bob Kling, an alias he had used before, according to the FBI. The witnesses said they had often seen several of the men moving large barrels around in the back of an old white truck that frequently broke down on the lot. The barrels smelled of diesel, they said, an ingredient in the bomb that destroyed the federal building. According to an FBI report, an Alcohol, Tobacco and Firearms agent confiscated the motel's registration records and logs.
- In a hidden-camera interview, Terry Nichols' ex-wife told of his trips to the Philippines. "Tim bought Terry the first ticket for the Philippines" in 1989, she said. Nichols, who eventually married a woman from Cebu City, traveled, often without his new wife, back and forth to the Philippines, considered by some a hotbed for terrorist activity. His last visit came in November 1994. Ramzi Yousef, who was convicted of masterminding the 1993 Trade Center bombing and a plot to blow up U.S. airliners, operated out of Mindanao and Manila; Yousef received funding from Osama bin Laden; and, according to a motion filed by McVeigh's defense team, an American fitting Nichols' description met with Yousef in 1992 or 1993 in the Philippines.

- Yossef Bodansky, the executive director of the U.S. House Task Force on Terrorism and Unconventional Warfare, told Davis that terrorist organizations linked to Iran and Syria had been talking about a U.S. terror campaign since late 1994. The task force issued the first of several confidential warnings to federal agencies on February 27, 1995. It said that "Striking inside the U.S. is presently a high priority of Tehran" and went on to warn of attacks on "airports, airlines, telephone systems etc." An update, issued on March 3, 1995, said there was a "greater likelihood that the terrorists would strike at the heart of the U.S." Israeli intelligence sources warned one month before the Oklahoma City bombing that an impending terrorist attack would use "lily whites," which, Bodansky explained, are "people without any distinct background, record of any kind . . . who will never be suspected members of a terrorist group."

It is not clear how or whether all of this adds up. Davis has struggled to get the results of her investigation to the public. Twice, she has been sued for libel and defamation, in state and federal courts, by Al-Hussaini, who stepped forward on June 15, 1995, and said that he was living in fear since KFOR and Davis fingered him. He said he was at work when the bombing occurred and denied knowing McVeigh. The federal judge who dismissed his lawsuit said Al-Hussaini's claim that he was at work at the time of the bombing was false.

Nineteen months after Al-Hussaini sued in state court, he dropped his lawsuit. Davis said the legal pressure led KFOR to halt airing new material from her bombing investigation. In 1996, Palmer Communications sold the station to the New York Times Co., which was not interested in pursuing the story, Davis said. On March 3, 1997, she resigned.

In September 1997, Davis was subpoenaed by the Oklahoma County grand jury, which was looking into the possibility of conspirators in the bombing. Davis gave the jury all of her witness statements. The next day, Al-Hussaini refiled his libel suit in federal court, and two months later, it was dismissed. U.S. District Judge Tim Leonard said that Davis' reports are either true or statements of opinion. Al-Hussaini appealed, and a hearing was held this month, but no ruling has been made.

For years, the FBI has refused to comment on Davis' report. This week, the response was no different when the agency was contacted by the L.A. Weekly. Davis has tried twice, with the permission of her sources, to deliver the 22 witness affidavits to the FBI office in Oklahoma City. In 1997, agents said her lawyers needed to first contact federal prosecutors. Her attorney, Tim McCoy, said federal prosecutors rejected the offer, saying they would have to release the documents to McVeigh's and Nichols' defense teams if they accepted them. In 1999, Davis and another attorney who represented her, Dan Nelson, met with Agent Dan Vogel and got him to accept the documents. He, in turn, gave them to the FBI task force investigating the bombing. "However, I was told we gave the affidavits back to her because there was some question of ownership -- whether she or KFOR had legal rights to the material," said Vogel, who has since retired. Asked whether he thought it was odd that the FBI would reject potential leads, Vogel would only say, "That was a decision made by people above me."

Davis can't figure out why the FBI refuses to examine her material. "They had hundreds of agents on this case," Davis told Bill O'Reilly. "Why wouldn't they want to take information from a reporter who had sworn witness statements implicating . . . others in the Oklahoma City bombing?"