

PATCON

The FBI's Secret War Against the 'Patriot' Movement, and How Infiltration Tactics Relate to Radicalizing Influences

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Introduction: The Infiltration Dilemma

To coordinate a definite cause to a definite effect has sense only when both can be observed without introducing a foreign element disturbing their interrelation.

– *Werner Heisenberg*

He who fights with monsters should be careful lest he thereby become a monster. And if thou gaze long into an abyss, the abyss will also gaze into thee.

– *Friedrich Wilhelm Nietzsche*

Since September 11, 2001, more than 300 U.S. residents have been prosecuted for crimes related to homegrown terrorism. About half were targeted by law enforcement using infiltration techniques – confidential informants, undercover operations, or, in some cases, both.¹

The use of infiltration has grown increasingly controversial, particularly within the American Muslim community, where many view these techniques as bordering on entrapment (regardless of the legal definition). In the worst light, informants and undercover officers are seen as *agents provocateurs* – government employees who are instructed to provoke people into illegal acts so that they can be prosecuted.

A 2011 Pew survey found that 52 percent of all American Muslims feel anti-terrorism policies in the United States single out Muslims for surveillance and monitoring. That number jumped to 71 percent among native-born American Muslims. Forty-four percent of the general public agreed with the assessment.²

That survey was taken before a series of investigative reports by the Associated Press on the New York Police Department's anti-terrorism unit confirmed some of the community's worst fears. The AP series, starting in August 2011, revealed that the NYPD has engaged in widespread surveillance of Muslim communities in New York, often without evidence of illegal activity and often without producing actionable results.³

But questions about when and how to use infiltration techniques are not new and are not limited to Muslim communities in the post-9/11 era. Whether it's an undercover agent buying supplies for an al Qaeda sympathizer,⁴ an FBI handler getting inappropriately close to a mob informant,⁵ or informants collecting evidence even as hackers compromise a private company's data,⁶ infiltration inherently involves unique risks along with its potential rewards.

Informants and undercover agents are essential tools for law enforcement officials, whether they are investigating terrorism, organized crime, corporate wrongdoing, computer hacking, or fraud. Infiltration methods have a proven track record as far as their legality and their investigative merits in the vast majority of cases. But methods that fall within legal bounds are not necessarily without negative consequences. Violent extremism presents a particularly devilish problem set in this respect.

Law enforcement has an obvious stake in trying to determine whether nonviolent people who espouse extremist beliefs or engage in violent rhetoric might become violent. Now more than ever, the government is focused on preventing potential extremists from becoming violent. But infiltration techniques can have a dramatic effect on how targeted communities view efforts to counter and prevent violent extremism by raising questions about the government's intent and integrity. Aggressive infiltrations can even reinforce extremist narratives that claim the government targets communities because of their fundamental identities rather than in pursuit of illegal activities. The ripple effects of perceived overreach can also make it more difficult for otherwise friendly community partners to encourage cooperation with law enforcement.

Studying the secondary effects of infiltration in current situations verges on the impossible for several reasons. The current activities of undercover agents and informants are closely guarded secrets, for obvious reasons. When infiltrators are exposed in the course of an arrest and

prosecution, descriptions of their activities are carefully controlled by prosecutors and carefully spun by defense attorneys, resulting in a distorted picture. Members of a targeted community may be reluctant to frankly discuss their attitudes toward these activities for fear of being targeted themselves. And finally, the secondary effects of infiltration can play out over years or even decades, rendering any short-term picture incomplete.

Legacy cases, while still subject to many of the same pressures, offer an improved window on the details of specific infiltrations and on the medium- and long-term effects on targeted communities. In the case of closed investigations, it is also possible to make a better evaluation of overt successes, such as arrests, prosecutions, and the prevention of violence and other planned activities.

From 1991 to 1993, the FBI conducted an ambitious infiltration program code-named PATCON, short for Patriot Conspiracy. "Patriot" is an umbrella label for a loosely defined movement of antigovernment, racist, anti-Semitic, and/or Christian extremists. The PATCON program is documented in extraordinary detail in thousands of pages of FBI records obtained through the Freedom of Information Act. Interviews with people involved on both sides of the infiltration supplement this information.

PATCON consisted primarily of three FBI undercover agents posing as members of a fictional extremist group called the Veterans Aryan Movement. Three Patriot groups were the primary targets of PATCON – Civilian Materiel Assistance, the Texas Light Infantry, and the American Pistol and Rifle Association. PATCON agents roved the country for more than two years collecting intelligence on these and other Patriot organizations and on dozens of individuals, investigating leads on plots from the planned murder of federal agents to armed raids on nuclear power plants to a new American Revolution.

Despite spending hundreds of thousands of dollars and logging uncounted man-hours, PATCON and related investigations produced negligible results in terms of serious criminal convictions. Instead, PATCON became an intelligence tool, predicated on a series of suspected crimes, most of which were discussed but never committed.

Because it was not directly tied to a prosecution, the existence of PATCON was not formally disclosed until 2007, when references to the program appeared in documents released through Freedom of Information Act requests about the targeted groups. But the Patriot movement was keenly aware it had been infiltrated. Several people involved with targeted groups asserted in interviews after the fact that they were aware that at least one undercover agent involved with PATCON was a “fed.” Whether or not that’s true, the movement was actively worried about infiltration, and justifiably so. One group targeted by PATCON was described by the FBI as “extremely sensitive to investigative pressure.”⁷ Another group deliberately discussed “exotic” threats in order “to provoke the FBI into overreacting and to surface informants.”⁸

The paranoia that resulted from the awareness of infiltration led to some members being expelled or ostracized on the often-incorrect suspicion that they were informants. Patriot gatherings were at times disrupted and even canceled over concerns about infiltration by federal investigators. One former informant interviewed for this report said he believed the FBI was just fine with that outcome but added that such mind games often reinforced the radical beliefs of those being monitored.

“I think they played a lot of people against each other,” he said. “The guys hated them more and more for it. They thought Big Brother was moving in on them.”

In addition to the murky complexities of the observer effect – in which the act of observing something causes changes in the subject of observation – the PATCON investigation

highlights several critical issues surrounding the use of infiltration.

Reinforcing grievances

As with many other radical movements, Patriot ideology revolves around a belief that the U.S. government is fundamentally at war with its values (which vary by group but often include gun rights, white nationalism, anti-gay sentiments, and/or abortion prohibition). In interviews for this report and in ideological tracts, Patriots frequently pointed to the use of infiltrators, often characterized as *agents provocateurs*, as a key grievance and operational concern. An example can be found in Patriot ideologue Louis Beam’s infamous tract on “Leaderless Resistance,” a strategy that is predicated on the threat of infiltration.⁹ The idea of a war footing is strongly reinforced by violent confrontations such as Ruby Ridge (which was sparked by a conflict over infiltration) and Waco (which had specific relevance to some of the PATCON-targeted groups).

Intelligence vs. prosecution

Much has been written about the conflict between the roles of the FBI as an intelligence-gathering operation and as a criminal investigation unit. FBI rules stipulate that full-field investigations such as PATCON must be predicated on specific suspected crimes, a requirement heightened in investigations of domestic extremism where First Amendment issues come into play.¹⁰

In dealing with headquarters, PATCON’s supervisors had to continually justify the operation by finding intelligence related to crimes past, present, or future. By pointing to specific and theoretically prosecutable crimes, PATCON’s supervisors were also able to secure dramatically improved funding for the operation.¹¹

Throughout PATCON's history, the nominal justification for the operation shifted several times, and the investigation strayed far from its stated pretexts, continually expanding to encompass additional targets of opportunity.¹² There was a vested interest in continuing a successful undercover operation once begun. FBI field offices and programs are evaluated on a statistical basis. The use of extraordinary investigative techniques such as wiretaps and undercover operations is factored in as a measure of good work.¹³

Value of intelligence gathered

It's unclear what value the collected intelligence held in the final analysis. The only PATCON targets ever prosecuted were already under investigation by the Army's Criminal Investigative Division, and none of the specific terrorist plots alleged in the FBI's records ever came to fruition. Agents involved with PATCON and related investigations said that the collection of intelligence on Patriot leaders had value in itself and helped elevate a top-echelon informant within the white supremacist group Aryan Nations, but conceded that many of the investigation's targets turned out to be all talk.¹⁴

Meanwhile, Timothy McVeigh literally drove through the middle of PATCON's investigative landscape without attracting notice. McVeigh interacted with members and associates of the targeted groups, but there is no evidence that the intelligence collected by PATCON ever came into play during the investigation of the 1995 Oklahoma City federal building bombing.

While there is obvious value in collecting information about extremist activity, it must be weighed against fiscal and social costs incurred, as well as the constitutional implications of targeting

groups with strong political or religious components.

Interagency conflict

One of the investigations carried out by PATCON involved the theft of night-vision goggles from Fort Hood in Texas, which was also the subject of an Army criminal investigation. To preserve the undercover operation, the FBI delayed sharing information with the Army's team, which subsequently launched its own undercover operation against some of the same targets. PATCON's direct contribution to the ultimate prosecution was negligible, but the episode illustrates the challenges of coordinating undercover operations when bureaucratic jurisdiction is not clear.

Civil liberties

Much of the focus of PATCON was on speech, whether public or private. The undercover agents and informants attended conventions and gatherings, reporting on who participated and what was said. They also reported private conversations about alleged terrorist plots that typically went nowhere.

"You have talkers and doers out there, and 99 percent of the people are talkers," said a former Patriot informant. Most of the targets of PATCON – even those engaged in frighteningly violent rhetoric – never transitioned from talk to action. The FBI's records of the program suggest that it was not always clear when the investigative imperative should have given way to First Amendment concerns. In at least one instance, a carefully worded speech was described incorrectly by a PATCON undercover agent as containing an explicit call to violence. It is unclear whether the speech was misheard or misconstrued.

Ultimately, however, PATCON was based on threat reports that clearly merited scrutiny. In the case study that follows – which relies heavily on the FBI’s perspective – it is easy to see how each individual lead would prompt investigation. Most of the threats examined by PATCON were aspirational at best, but how could FBI agents know that without investigating? The narrative below illustrates this dilemma. This report describes PATCON in detail from its origins through its conclusion and profiles the three groups targeted in the investigation. The report examines Timothy McVeigh’s contacts with the Patriot movement, including several people linked to the groups targeted by PATCON. It concludes with a look at how infiltration broadly influences Patriot thought and with recommendations for further study.

The story of PATCON highlights issues that are relevant to the challenges of today, particularly regarding the New York Police Department’s wide-ranging intelligence collection targeting Muslim communities.

There are fundamental differences between targeting the radical fringe Patriot movement and targeting the mainstream Muslim community. Targeting all Muslims for infiltration is akin to targeting all white Americans in order to gain intelligence on white supremacists. The social consequences of fomenting paranoia and mistrust of government in overwhelmingly law-abiding communities are different from those that stem from infiltrating a movement that fundamentally presumes government malfeasance. This report is intended as a first step to broaden the national policy discussion about infiltration techniques and their effects on targeted communities.

On the Road

As Timothy McVeigh drove away from Buffalo at the start of 1993, the trappings of an ordinary life receded in the rearview mirror, abandoned like the region’s steel mills. There would be no regular jobs, no daily commute, no fixed address, no wife and family. Whatever normality the 24-year-old had known in his life was behind him.

Born into a family that broke in divorce when he was 10, McVeigh struggled to find his place growing up in Lockport, an outer suburb of Buffalo. As a teenager, he was drawn to guns and survivalism, tinged with an incipient racism he tried to deny.¹⁵ McVeigh joined the Army in 1988 and served through the Persian Gulf War in 1991. He was an expert marksman, but had difficulty dealing with black soldiers in his unit. He applied to join the Special Forces but was rejected after he failed to meet the rigorous physical requirements. Some months later, he left the Army and moved home to Lockport, immersing himself ever deeper in the world of “Patriot” extremism.¹⁶

The Patriot movement consisted of small, localized organizations that defined themselves under a loosely unified banner despite wildly differing ideologies. For instance, some justified white racism using distorted Christian teachings, while others embraced Odinism, a warped version of Norse mythology. Others focused on elaborate constitutional fantasies.

Evidence of McVeigh’s early attraction to extremism can be found in the book that he tried to share with almost everyone he met, *The Turner Diaries*, a 1978 novel by infamous white nationalist William Pierce. McVeigh first encountered the book in 1988, around the time he enlisted in the Army. He kept it with him throughout his service – and kept sharing it with others – despite reprimands from his superiors. By the time he left Buffalo, McVeigh was selling the book at gun shows.¹⁷

Set in the near future, *The Turner Diaries* describes a white insurrection against the United States government, culminating in a global racial holocaust. Although McVeigh would later tell biographers he was attracted mainly to the book’s antigovernment message, it is extraordinarily unlikely that *The Turner Diaries* could appeal to anyone who is not a hardened racist. Dripping with racial animus, *The Turner Diaries* does not aim to convince readers of the virtues of white supremacy. Rather, it assumes bigotry on

the part of readers and explicitly tries to move them from passive agreement to violent extremism.¹⁸

Aside from its ideological contribution to the literature of white supremacy, *The Turner Diaries* introduced the concept of a secret cabal promoting a white-only agenda, known simply as The Order. The fictional Order is vaguely described, except for its initiation ritual and its role as the ideological and strategic leadership of the insurrection. But this skeletal outline was enough to inspire real-world imitators who were engaged in a covert war with the federal government.

When McVeigh left home, he was heading toward the front line of that war and an intersection with an incarnate version of the hateful fantasy that had so captured his imagination.

The real-world Order, like its fictional counterpart, was locked in battle with the U.S. government, a conflict that would soon explode in fiery cataclysm at a rural compound outside of Waco, Texas. One of the clearest examples of the power of the idea behind The Order was a white supremacist group known as the Veterans Aryan Movement, a group of former soldiers based in Texas. Known in the movement to raise money through armored car robberies and bank heists, the militia invested its ample war chest in the purchase of arms and equipment for the coming revolution and traveled the country to consult and coordinate with other groups that shared the same agenda.

But the Veterans Aryan Movement had a secret, one it successfully concealed from even its closest allies. The organization was an invention of the FBI, and every member of the group was an undercover FBI agent.

The operation's code name was PATCON, short for Patriot Conspiracy, and it would soon reach across the country in an expansive search for information on antigovernment and racist organizations that the FBI believed were seeking to join forces to overthrow the government.

Civilian Materiel Assistance

McVeigh's first stop was in Plantation, Florida, just west of Fort Lauderdale, where his sister Patricia lived with her family. He arrived in February 1993 and soon set up shop at a gun show at the Fort Lauderdale armory.¹⁹

McVeigh had begun regularly attending shows as a buyer before he left the Army in 1991. In this new phase of his life, he would become a seller. Dressed in his Desert Storm fatigues and polished boots, he offered shirts, canteens, duffels, sleeping bags, and copies of *The Turner Diaries*.

McVeigh drew the notice of another seller at the show, a man named Roger Moore, who bought a few items from the Gulf War veteran and struck up a conversation.²⁰

Colorful was too pale a word to describe Moore. The owner of a mail-order ammunition company known as "The Candy Store," Moore traveled to gun shows around the country using his own name and a number of aliases – Bob Miller, Col. Bob Anderson, "Bob from Arkansas," and simply "Arkansas Bob." Moore had a girlfriend, Karen Anderson, who lived on a ranch he owned in Arkansas and sometimes attended shows with him. He also had a wife, Carol, living in Florida, whom he sometimes introduced as his sister.²¹

Moore's professional life was as curious as his personal life. He described himself as a self-made millionaire who had enough money to retire, but Moore found ways to keep busy. The Candy Store gave him an excuse to travel around the country and hang out at gun shows. It also facilitated contact with the Patriot movement.

Under his alias of Bob Miller, Moore had been involved for years with a Patriot organization called Civilian Materiel Assistance (CMA), which organized volunteer efforts against communism during the 1980s.²² A former Marine named Thomas Posey had created the anti-communist militia. Starting in September 1983, Posey began shuttling shipments of clothing and food from Alabama to Central

America to assist the Contras in their insurgent struggle against the leftist regime in Nicaragua.²³ Some former members of the organization said the aid was primarily humanitarian. Others insisted there was more to the story.²⁴

An aide to Oliver North, a Marine lieutenant colonel on the National Security Council staff, offered the CMA some direction, and the group had contact with others in the U.S. government, a series of rumored connections to military intelligence and CIA officials that has never become clear.²⁵ A civil lawsuit over the group's alleged illegal activities ended with a \$1 million judgment in favor of CMA and other defendants for attorney fees and costs,²⁶ but congressional pressure and the glare of publicity forced an end to the covert pipeline to the Contras.

CMA's members had other interests that kept them in touch. Posey proposed forming a political party "so pro-American and patriotic that it's going to be hard for anyone to vote against us." The idea went nowhere.²⁷ Later, CMA members began "arresting" suspected illegal immigrants on the Arizona-Mexico border, but law enforcement quickly prohibited such activities.²⁸

After the Iran-Contra program was exposed to the public and closed down amid a Congressional investigation, Posey reconfigured the CMA as a "survivalist-type group" opposed to the U.S. government and aimed to make friends with a constellation of white supremacist and survivalist organizations across the country.²⁹

This extremist reincarnation of CMA boasted approximately 700 active members, with new blood regularly recruited at an annual convention hosted by *Soldier of Fortune* magazine in Las Vegas. Roger Moore attended the convention regularly, renting a table to sell ammunition and spending most of his time with Posey and other CMA members.³⁰

At the 1990 convention, CMA cadres met leaders of a militia group known as the Texas Light Infantry, and the two groups would soon join forces to create an alliance that would reach across the country – and expose itself to FBI infiltration.³¹

The Texas Light Infantry

The Texas Light Infantry (TLI) formed during the 1980s with the stated goal of serving as a volunteer force during emergencies. It maintained "battalions" in different parts of the state, including Houston and Austin. Members took part in exercises roughly akin to infantry training, with occasional ventures into more exotic activities such as parachute jumping.³²

Around 1990, some TLI members began branching out into "paramilitary-survivalist" activities, according to FBI documents, crafting ties with the Aryan Nations and "persons throughout the U.S. involved in the white supremacy movement."³³

Former members and associates disputed this claim as it applied to the official organization. "The leaders of the TLI were extremely concerned about the political image and absolutely forbade any political or racial rhetoric at TLI functions," said Dave Hollaway, a member of the group from the 1980s through 1991.³⁴

"There may have been people with uncharitable attitudes towards other races, but expressing such sentiments was something actively discouraged in the TLI," said a second former TLI member who asked not to be named.³⁵ The TLI had at least one black member and several Latino members, according to multiple sources.³⁶

But several members of the group were embroiled in racial politics in one way or another. When Hollaway left TLI, he moved to North Carolina and began working for the CAUSE Foundation,³⁷ which made its name providing legal assistance in racially charged cases (often, but not always,

on behalf of whites). Another prominent TLI member had family ties to the Aryan Nations.³⁸

The FBI's interest in specific TLI members was primarily motivated by their association with Louis Beam, an infamous radical ideologue living in Austin, and by reports that some members of the group were referring to it internally as "The Order."³⁹

The Order, first described in *The Turner Diaries*, had emerged into the real world, after a fashion, during the early 1980s. Robert Jay Mathews, a right-wing extremist who began as a strident anti-communist and went on into organized racism, gathered at least a dozen men from around the country to take on the fictional organization's mission.⁴⁰

In *The Turner Diaries*, extremists directed by The Order are forced to commit petty crimes in order to fund their insurrection. Mathews and his followers took on the name and followed the plot point, carrying out two bank robberies and three armored car robberies, the proceeds of which were intended to fund a racist revolution to overthrow the U.S. government. At least two people were murdered by the group.⁴¹

In late 1984, federal agents shut down The Order, killing Mathews in the course of trying to arrest him. Several members were prosecuted and convicted under federal racketeering laws. Others were arrested in 1987 and tried under rarely used sedition laws; the case collapsed, resulting in the acquittal of all defendants.⁴²

Among those acquitted in the sedition trial was Beam, an influential racist prominent in the Ku Klux Klan and Aryan Nations. After the trial, Beam returned to his native Texas, where he published a newsletter mockingly titled *The Seditonist*, crafting ties with the Aryan Nations in Idaho and spending time with friends in the TLI, although he was not an official member.⁴³ Beam did not respond to an e-mail requesting an interview.

Radical rhetoric and racial views were not sufficient reason to open a formal FBI investigation. But more aggressive steps were taken when, according to an informant, some within the TLI began discussing specific threats to kill two FBI agents in revenge for an earlier arrest, details of which are redacted from FBI documents. The Bureau conducted surreptitious searches, hauled TLI members in for interviews, deployed undercover agents, and at one point had four informants inside the group at the same time. The incoming intelligence only amplified the FBI's concerns.⁴⁴

The FBI believed members of the TLI were stockpiling explosives for use against the government, such as a proposed mortar attack on an FBI office.⁴⁵ The organization was alleged to have at least one local law enforcement officer in its pocket. Skinheads and racist extremists from around Texas joined TLI members in the Austin area for paramilitary training on a regular basis, informants asserted.⁴⁶ In June 1990, the FBI searched the grounds of a TLI training camp near Austin and found the remains of two sophisticated pipe bombs. In early 1991, the group became aware of the FBI's interest in the camp and tore up stakes, relocating to a site about two hours away.⁴⁷

The TLI even sent an operative to the FBI's Austin office on a fishing expedition, posing as a walk-in informant to try to find out what the FBI already knew about the group. The effort failed, but TLI's more militant members continued to probe for infiltrators. Their concern was justified.⁴⁸

Paranoid Times

From its genesis at the *Soldier of Fortune* convention in 1990, the proposed alliance between CMA and TLI's extremist clique was dogged by suspected (and actual) government infiltration. Concerns came to a head in November 1991, when CMA hosted a convention in Posey's home town of Decatur, Alabama, inviting representatives from a number of different Patriot groups. Members of the Texas Light Infantry were there, along with representatives of the American Pistol and Rifle Association, an organization based in Tennessee.⁴⁹

CMA and the TLI (or at least its more extreme members) had already joined forces. “Persons holding ‘rank’ in the [TLI] have equivalent rank in the CMA,” an FBI memorandum noted.⁵⁰ (TLI members and associates interviewed for this report denied knowledge of any alliance with CMA.)⁵¹

The primary item on the convention’s agenda was extending Posey’s agenda to create a nationwide coalition strong enough to stand up to the full might of the federal government but flexible enough to include often wildly divergent ideologies.⁵²

According to FBI records, the strategy called for “interlocking anti-government groups so that the movement could be ready to fight the government when the government attempts to take over the rights of the citizens,” similar to the scenario described in *The Turner Diaries*.⁵³ Interlocking would connect extremist groups by “making members of one group members of another group” in order to “increase communication and cooperation” so they could unite to violently oppose the government.

“This interlocking procedure ... allows groups with different viewpoints but with the same common antigovernment beliefs to join together,” an informant reported. The groups would maintain their own names and identities but would be expected to coordinate when the time came for a revolution.⁵⁴

But there were obstacles. Paranoia was rampant during the convention. One attendee asked too many questions, leading to suspicion he was a government agent. Other convention-goers became convinced the FBI had electronic surveillance in place.

A scramble to increase security led to a wild search of the hotel where the convention was taking place. The searchers discovered a surveillance unit put in place by the local sheriff’s office and nearly caught someone else working the event.⁵⁵ The actual FBI informants went undiscovered. One

later described the scene as “pandemonium” in a report back to the Bureau and said many attendees left over concerns about infiltration.

“The convention may be over at this point,” one informant reported.⁵⁶ It might have been, but the FBI’s interest in the proposed alliance was only beginning.

PATCON

Initial information on the Texas Light Infantry came from a longtime FBI informant named Vince Reed. A Vietnam vet whose injuries frustrated his desire to work as a law enforcement officer, Reed worked instead for the FBI as a source, informing on the Hells Angels. He relocated to Texas, where he began providing agents with information on the associates of Louis Beam, whose ties to the Aryan Nations were a top priority for Texas FBI agents.⁵⁷

An undercover agent posed as Reed’s gun dealer in order to strengthen his cover. But agents in the FBI’s Austin resident agency felt Reed could go further with more support. In April 1991, FBI headquarters gave the San Antonio field office its blessing to launch the PATCON Group I undercover operation in support of Reed’s efforts. Group I undercover operations are better-funded and more ambitious than routine undercover investigations and are reserved for special circumstances in which a specific potential crime is suspected.⁵⁸

On paper, the predicate for PATCON was the verbal threat against two Austin-based FBI agents (who answered to the San Antonio field office), but in practice, its goals were strengthening Reed’s cover by showing he had useful allies and collecting information about rumored efforts to recreate The Order, the proposed alliance of antigovernment groups, and the Patriot movement as a whole.⁵⁹

PATCON was built around three undercover agents who posed as members of an invented racist militia group called the Veterans Aryan Movement (VAM), led by an agent

using the name Dave Rossi.⁶⁰ Reed and the agents were set up with a safe house in the Austin area, wired for sound and video, where they tried – largely without success – to engage Beam’s friends in the TLI in recorded conversations about criminal activity.⁶¹

The agent posing as Rossi was an experienced undercover operative who had previously worked on narcotics cases. He was a student of the white supremacist movement and a military veteran who had served in Vietnam, which was an advantage for infiltrating the veteran-heavy Patriot movement.⁶²

The story of PATCON highlights issues that are relevant to the challenges of today, particularly regarding the New York Police Department’s wide-ranging intelligence collection targeting Muslim communities.

Within the movement, Rossi explained that the VAM was following The Order’s blueprint, conducting armored car robberies to fund future terrorist activities.⁶³ The story was readily accepted, especially as it became clear Rossi had money and was not shy about spending it. The similarities between the VAM and The Order were also appreciated on an ideological level.

“The old Order, led by Robert Mathews, tried to do it all themselves,” said one TLI-connected person in a meeting with Rossi, as documented by the FBI. “We need to form units throughout the United States. ... The seed was planted by the Order. We must make it grow.”

Around the time PATCON was launched, the FBI promoted a source within CMA to full-time paid informant status.⁶⁴ Reed, as well, was given wide latitude to pursue contacts with TLI associates, at times wearing a wire.⁶⁵

Within weeks of PATCON’s launch, its mandate started to shift away from the alleged threat to FBI personnel. A June 1991 FBI memorandum outlined PATCON’s goals as continued infiltration of the TLI, also known as “the Texas Reserve Militia (aka “The Order”),” and surveillance and interviews of TLI members, with an eye toward prosecution for “conspiracy to commit Murder, Illegal Possession of Weapons and Explosives, Money Laundering, etc.”⁶⁶

By November, an FBI headquarters review of PATCON found that the threat against the agents that justified the undercover operation was “not as imminent as originally feared” and had been referenced only in “vague fashion” since the original report.⁶⁷

Initial investigation revealed that TLI associates had conducted surveillance on at least one of the Austin agents, who was also overseeing PATCON, including monitoring his home and identifying the times he went jogging. But when informants and other undercover agents were deployed to test the seriousness of the plan, the TLI associates said no action would be taken until after the Patriot movement had overthrown the U.S. government. (The agent who had been the subject of surveillance was eventually removed from handling PATCON due to the conflict of interest created by investigating people who had targeted him.)⁶⁸

Despite all this, the review concluded that PATCON was “well focused” and said it had “not expanded beyond the intent of the authorization.”⁶⁹

But the operation was about to expand, dramatically. PATCON would serve as a “vehicle to collect evidence of the criminal activity of suspected domestic terrorism organizations such as “The Order,”” an FBI memorandum explained.⁷⁰ The PATCON investigation would quickly cross state and organizational lines.

As for Vince Reed, his contacts with TLI associates in Texas led to introductions at the highest levels of the Aryan

Nations in Hayden Lake, Idaho, where he relocated in 1992. While constantly feeding information back to his handlers at the FBI, Reed went on to become “ambassador at large” for the Aryan Nations with authority to speak for its leader, Richard Butler, a distinction enjoyed by only one other member of the group – Louis Beam.⁷¹

Stinger Missiles

The intelligence flowing out of the FBI’s Patriot infiltrations, if accurate, was alarming. The aligned groups claimed to represent thousands of members with some degree of financing and military experience, who were training and stockpiling armories for a revolution against the U.S. government, similar to the grandiose ambitions outlined in *The Turner Diaries*.

In late February 1992, a source reported to the FBI field office in Birmingham, Alabama, that CMA leader Tom Posey was trying to sell four Stinger antiaircraft missiles on the black market, purportedly on behalf of a friend. A TLI member targeted by PATCON vouched for the Veterans Aryan Movement to Posey a few weeks later, resulting in a phone call to Posey on May 6, 1992.

“We have a mutual friend in Austin who gave me your number and suggested I call you to discuss things of mutual interest,” Rossi said.

They scheduled a face-to-face meeting in June, including the TLI member, Posey and another CMA member, Rossi, and a second PATCON agent. The depth of the FBI’s penetration of the movement was illustrated by the fact that the man Posey brought to watch his back was also a paid FBI informant.⁷²

Posey picked up the agents at the airport in Birmingham. On the way back to his house, they drove past the FBI’s Birmingham field office. Posey pointed out the window. “We’re going to make FBI agents an endangered species,” he said. Throughout the drive, Posey noted infrastructure highlights such as bridges, railroad tracks, towers, and fuel

pipelines, commenting on how easy each would be to destroy.⁷³

After an overnight visit in which the men discussed the movement and plans for the revolution, Posey drove the undercover agents back to the airport. During the drive, one of them told Posey that VAM was interested in “sexy equipment” for some of its operations. “How about Stingers?” Posey responded immediately. A CMA member could provide five Stingers for \$40,000 each, but the price might be negotiable. They agreed to use the word “catfish” as code for the missiles in follow-up conversations by phone.⁷⁴

The negotiations over the Stingers would drag on for months, but the Veterans Aryan Movement did not sit idle. As the visitors neared the airport, Posey mentioned that he would be attending the Aryan Nations World Congress in Idaho in July and suggested that Rossi and his colleague should come along.

The FBI’s invented militia was pushing deeper into the shadowy world of right-wing militancy, moving ever further from its original mandate to investigate threats to the two FBI agents in Texas.

“[The] specificity of the threat has decreased,” an FBI memorandum on the investigation noted. “However, any time the subject of the FBI comes up in a conversation, references are made by name to the two threatened FBI agents and veiled threats are once again voiced.”⁷⁵

To justify the extra funding and resources of a Group I undercover operation, supervising agents are required to file a status report every 180 days describing the investigation to date and the suspected criminal acts on which it is predicated.⁷⁶ Each memorandum on PATCON and the Texas Light Infantry cited the threat against the agents as a predicate for investigating, usually before any other reason.⁷⁷

But virtually all of PATCON's investigative activity was directed toward intelligence-gathering and an ever-changing list of other suspected crimes. The threat had opened a small door for investigation, and the FBI was driving a tractor-trailer through the opening.

World Tour of Extremism

The FBI increasingly treated the PATCON undercover operation as a multipurpose tool to penetrate the Patriot movement and collect intelligence, sometimes without any prospect for an indictment. The Aryan Nations World Congress presented an irresistible opportunity.

The official purpose for sending the agents to the World Congress was to get Posey on tape discussing the Stinger deal "to help counter any later claims of entrapment," according to an FBI communication.⁷⁸ But the interests of the undercover operation were not restricted to the Stinger investigation. PATCON was "essential to the successful identification of new domestic terrorism organizations," an FBI memorandum stated.⁷⁹

The World Congress was an annual meeting of white supremacists and assorted other Patriots at Hayden Lake, Idaho, where the Aryan Nations maintained its headquarters. About 75 people attended the 1992 congress, from several states and Canada.⁸⁰ Rossi and another PATCON agent worked the grounds, dropping the names of TLI members to bolster their credibility.

Speeches were dutifully noted by the agents. One speaker told audience members that they should be stockpiling food and weapons for the day that the government would come to take their guns, "as stated in 'The Turner Diaries.'" This would be "a familiar theme throughout most of the speeches," according to an FBI memorandum. A great deal of unpleasant talk was reported, but no crimes were on display.

The PATCON road show also took Rossi to Benton, Tennessee, in mid-1992, to meet with John L. Grady, a

doctor and an outspoken opponent of abortion. Grady was head of a dues-paying organization called the American Pistol and Rifle Association (APRA), based at his Benton compound, which included a church, a firing range, and a handful of additional buildings, including a residence.⁸¹

From the same location, Grady led the "Sovereign Order of St. John of Jerusalem," or simply the Order of St. John, a fraternal organization with a "prophetic mission" that claimed to trace its roots to a Roman Catholic religious order from the Middle Ages. The OSJ was described as an invitation-only sect with branches around the country.⁸² An informant reported that Grady claimed "to have been a founding member of The Order" with a close relationship to Robert Mathews.⁸³ In turn, several members of The Order had been members of APRA.⁸⁴ (In a 2012 interview, Grady denied being a member of The Order.⁸⁵)

APRA had been represented at the CMA's disastrous Decatur convention, where a speaker affiliated with Grady's group explained that its function was to train "white supremacists and paramilitary groups on defensive tactics and how to shoot police officers before they can shoot you," according to informants.⁸⁶

The FBI believed Grady subsequently hosted meetings in Benton to discuss the proposed "interlocking" of Patriot groups broached at the convention.⁸⁷

In meetings between Grady and CMA members earlier in 1992, discussions were held about creating six-man terrorist cells that would carry out "acts of violence" including attacks on "microwave, radio, telephone, electric and TV towers and then nuclear power plants," FBI reports said. Assassinations would be carried out against "Congressional leaders, Jewish leaders and neighborhood leaders of black gangs."⁸⁸

In the encounter with Rossi, Grady explained that he had been trying to create the Patriot alliance for 25 years, according to an FBI record of the meeting. Grady said the

American Pistol and Rifle Association had units all over the country that “should be prepared to take over small Post Offices and do acts of violence such as blowing up microwave towers.” Each group was supposed to create its own plan of action.⁸⁹

But no specific plans were set into motion during the encounter. Instead, the FBI report said, Grady warned Rossi that a takeover of the government couldn’t be done, because “the American public was too complacent, lazy and undisciplined.”⁹⁰

Excerpts from several FBI documents containing these allegations were e-mailed to Grady, who responded in a telephone interview. “Every statement that you’ve shown me is false,” Grady said. He disputed the contention in FBI documents that the Order of St. John and the APRA were linked except by virtue of his role in each and denied that the groups were white supremacist in nature and that they were aligned with CMA.

“We had nothing to do with Posey. I hardly knew his name,” Grady said, discounting assertions that CMA and APRA worked together. He said he was aware of Posey as a “good patriotic man,” but “that’s as far as that went.”⁹¹

According to the FBI records, Grady told Rossi to join the APRA and asked if he was coming to the organization’s convention in September.⁹² While welcoming, Grady was also wary. According to the records, he explained to Rossi that “agents and informants should be dealt with, eliminated, that this was the way to deal with them and discourage their attempts at infiltration of the movement.”⁹³

According to an FBI account of the conversation, those comments were directly sparked by discussion of a violent standoff in remote Ruby Ridge, Idaho.⁹⁴ What the Patriots didn’t know was that a member of the Veterans Aryan Movement had been involved in Ruby Ridge – on the side of the government.

Ruby Ridge

Randy Weaver was a small-time member of the Patriot movement, a white separatist who had casually interacted with the Aryan Nations, which was based near the remote cabin at Ruby Ridge, Idaho, that Weaver called home. After he was caught selling a sawed-off shotgun, the Bureau of Alcohol, Tobacco and Firearms attempted to persuade Weaver to act as an informant, using the threat of prosecution for the minor weapons violation as leverage. Weaver refused, and the ATF eventually filed the charge.⁹⁵

Months passed, and the U.S. Marshals Service began crafting an elaborate plan to arrest Weaver. During a reconnaissance mission on August 21, 1992, a gunfight unexpectedly broke out between six U.S. marshals on Weaver’s property and Weaver and some of his friends and family. The sequence of events is disputed, but the results were clear: One of the marshals was killed, along with Weaver’s 14-year-old son Sammy.

A standoff ensued, lasting several days, with the FBI’s Hostage Rescue Team surrounding the Weavers’ home and making efforts to negotiate. Finally, the tense situation erupted when an FBI sniper fired twice, wounding Randy Weaver and killing his unarmed wife, Vicki, who was holding their baby in her arms.⁹⁶

Bo Gritz, a former Green Beret and decorated Vietnam vet who had become prominent in the Patriot movement, was brought in as an interlocutor between the federal authorities surrounding the property and the Weaver family. Randy Weaver finally surrendered to Gritz and another prominent Patriot, Jack McLamb, a few days later.⁹⁷

Weaver would ultimately be acquitted of murder in the death of the marshal.⁹⁸ Regarding the death of Vicki Weaver, the Justice Department’s internal investigation assigned blame both to the sniper who fired the shot and to the rules of engagement set by headquarters for the incident.⁹⁹

Ruby Ridge instantly became a signal event for the Patriot movement, which had been waiting for evidence that a government crackdown like the one predicted in *The Turner Diaries* was soon to become reality. Scant days later, the FBI added the threat of revenge attacks for Ruby Ridge to its constantly evolving list of justifications to continue the PATCON investigation.¹⁰⁰

Among the many enraged by Ruby Ridge was Timothy McVeigh, who was still living near Buffalo at the time. He heard about the siege from news media, then began seeking more information from right-wing shortwave radio broadcasts. Years later, McVeigh's defense attorney remembered his client saying that Ruby Ridge was "the defining moment in his life that impelled him to act against the government."¹⁰¹ As bad as all of this was, the Patriots never learned that a member of the fictional Veterans Aryan Movement had been on the scene as part of an FBI SWAT team.

According to FBI communications, the agent (whose name and alias are not known) had taken rudimentary precautions to avoid discovery – pulling a coat over his head when he passed through the FBI roadblock on the way to the scene, and staying at a motel in a less-trafficked area.¹⁰² Nevertheless, a Bureau review found that no one could be sure the agent had not been photographed in transit or spotted among a crowd of FBI agents on the scene. The Bureau wasn't sure his face was covered fully, or covered all the time.¹⁰³ Dozens of Patriots had gathered at the outskirts of the standoff. Any one of them might have seen the agent, and the same was true for Gritz and McLamb, who had been inside the FBI's lines.

The decision was made that protecting "Rossi's" cover was of paramount importance, and the other agent was pulled from his PATCON assignment in September. The move might have seemed like an excess of caution, but the timing was fortunate. The Veterans Aryan Movement was about to come face-to-face with Bo Gritz.

The Convention

In late September 1992, Rossi returned to Benton to attend the American Pistol and Rifle Association convention at the compound of the Order of St. John (OSJ). At least one FBI informant was in attendance as well. The FBI's Knoxville field office had been monitoring the two linked organizations with an aggressive informant program for months. In July, the FBI made the decision to move PATCON's supervisory functions from San Antonio to Knoxville as a tool to further the investigation of the OSJ.¹⁰⁴

Under the FBI's rules, investigations must be predicated on the belief that criminal activity is taking place. PATCON was now operating far afield from its original justification, the alleged threats against FBI agents by members of the Texas Light Infantry (which was not represented at the convention). The San Antonio field office protested the transfer to Knoxville, saying PATCON should continue monitoring those threats. A communique from FBI headquarters decreed that PATCON could keep an eye on things in Texas while pursuing the case in Tennessee.¹⁰⁵

Tom Posey and Dave Rossi arrived in Benton as the conference began. About 150 members from at least 12 states were in attendance. APRA officials conducted daily firearms training that included, at one point, a live-fire assault exercise, according to Rossi's report of the event. After APRA members concluded general training, Order of St. John members shot at targets with pictures of police officers and squad cars, according to the FBI. Weapons and equipment were sold and bartered among members attending the conference.¹⁰⁶

Several speeches from the event were videotaped. On the third day of the conference, Grady took the stage to introduce Bo Gritz, pausing to praise Posey for his efforts with Civilian Materiel Assistance in support of the Nicaraguan Contras. Rossi was sitting next to Posey, who waved his hat. In a speech that ran well over two hours, Gritz predicted that the government would declare a

national emergency by 1994 and seize everyone’s guns, just as described in *The Turner Diaries*, after which the population would be forced to receive the “mark of the Beast” – described as a microchip that would be implanted in the hands of newborns to identify them to the government.

Gritz described his role at Ruby Ridge in vivid detail, blasting the FBI and ATF and describing himself as the God-guided savior who prevented further bloodshed. Gritz was crystal clear about the reason for the assault – it had happened because Randy Weaver had refused to become an informant. “Friends, you could be a Weaver,” Gritz warned.¹⁰⁷

On the final night of the conference, Grady rose to speak, immediately following a speech laden with racist, anti-Semitic, and homophobic themes by John Rakus of the National Justice Foundation, whom Grady introduced as an APRA member and a member of the group’s national advisory board. In steady tones, Grady described the coming “chastisement” of America by God, while carefully invoking the shadow of violence without explicitly calling for action. He told the rapt crowd that they should hope for the opportunity to “die as martyrs” and urged them to prepare for death.

“I don’t know about you, but I made up my mind a long time ago that I would rather end my existence in the struggle than in a nursing home,” Grady said. “I pray every day, ‘God, let me be an instrument of your power. Let me be the mark of your determination. Let me be part of your chastisement. Make me a warrior.’”¹⁰⁸

The FBI’s report on the convention included notes on Grady’s speech. According to the report, Grady stated that “someone would have to pay the price for what happened to Weaver’s wife” and that “a person was better off to take out as many people as they could than to be arrested and taken to jail.”¹⁰⁹ The statements nicely reinforced the FBI’s investigative interest in threats related to the Weaver

incident. But the speech had been videotaped, and Grady cannot be seen making either statement.¹¹⁰

The convention videotape highlights the ambiguities of the PATCON investigation. On one hand, it can be seen as contradicting Grady’s flat denial that APRA was involved in racist politics and his claim to “barely know” Posey. But it also suggests the FBI’s written account of the event is flawed. Whether misremembered or misconstrued, the FBI report portrayed Grady’s speech as a clear call to violence when in reality it was carefully worded to avoid incriminating language.

The next year’s APRA convention was canceled. An APRA newsletter explained:

“This decision was made after it became clearly evident that at least one BATF informant and possibly another agent had ‘infiltrated’ the APRA organization for the purpose of setting up a ‘sting operation.’ This attempted entrapment, if successful, could have resulted in the arrest and incarceration of Dr. Grady and others; a raid on the property where APRA is provided office space; or in the worst scenario, an assault on the APRA Rendezvous similar to the Waco massacre.”¹¹¹

There are different ways to interpret this. PATCON may have lost a valuable intelligence-gathering opportunity. It could be seen as having disrupted a conclave of extremists and possibly disrupting their alleged plans to mount a campaign of terrorism. Or it may have simply shut down a gathering that fell within the bounds of First Amendment safeguards protecting unpopular speech.

From Stingers to Night Vision

PATCON’s change in focus to the Order of St. John came not a moment too soon, as the most recent justification for the investigation – the alleged sale of black-market Stinger missiles by Tom Posey – was evaporating. Rossi had confronted Posey over the missiles after a series of failed promises to show the merchandise. In a confrontation rife

with irony and drama, Rossi accused Posey of being an informant and asked if the Stinger deal was a government setup.

People were talking about Posey, Rossi said, speculating that his connections with the government during the Iran-Contra years had compromised him. Posey shot back that he had never worked for a government agency in any capacity. Rossi replied that his (fictional) associates in the VAM suspected the Stingers had never really existed. Posey became defensive, insinuating that he had his own suspicions about Rossi.¹¹²

Grady described the coming “chastisement” of America by God, while carefully invoking the shadow of violence without explicitly calling for action. He told the rapt crowd that they should hope for the opportunity to “die as martyrs” and urged them to prepare for death.

They continued to talk, and the tense moment passed. According to the FBI, Posey claimed the Stingers had been sold to another party for a higher price. The FBI’s documents and several interviews with people with direct knowledge of the events paint a murky picture but offer no clear evidence the Stingers had been real.¹¹³ But Posey had a new deal for the undercover agent. He knew a guy who had 60 pairs of night-vision goggles for sale, he said, and these were not vaporware. He pulled a sample out of the trunk of his car.¹¹⁴

The Stinger investigation was petering out. A new investigation had begun. The FBI was reasonably certain it knew the origins of the night-vision gear. In July, Army Specialist Timothy Boley had stolen 61 pairs of night-vision

goggles from Fort Hood in Texas, which were then stolen from him by an Alabama pawn shop owner.¹¹⁵

Some of the goggles were subsequently turned over to Posey and other CMA members, who began selling them all over the country.¹¹⁶ Rossi bought several pairs from Posey at the APRA convention, using money that had been set aside for the Stinger deal.¹¹⁷

The next logical step was to inform the Army and confirm the goggles were from Fort Hood. But the PATCON undercover operation was perceived to be going well and providing extraordinary intelligence, and the FBI was loath to share details. A decision was made to withhold the serial numbers on the recovered goggles from military investigators who were pursuing the thieves.¹¹⁸

The Army responded by placing its own agent undercover. In October 1992, an Army informant traded weapons for night-vision goggles from a CMA member at a popular gun show in Knob Creek, Kentucky, then began methodically working up the supply chain toward Posey through a series of transactions involving undercover agents and informants. One of them even provided new sets of goggles for Posey to resell.¹¹⁹

But Posey did something unexpected – he contacted the Army and reported the informant who was trying to cut a deal with him. Posey claimed ignorance that any of the goggles were stolen but gave up the pawn shop owner and offered to use his knowledge of the black market to assist the Army’s investigation.¹²⁰ More transactions ensued, but now Posey was accompanied by an undercover Army investigator.¹²¹

Information was shared between the Army and FBI investigators only sporadically.¹²² In the middle of all this, Dave Rossi – the FBI’s undercover agent – called Posey to ask about buying more goggles, as well as portable rocket launchers and hand grenades.¹²³ Posey begged off, saying

he had more business than he could handle. Almost all of his business associates were government agents.

The Army's investigators identified Boley as the likely thief. He confessed in January 1993 and was referred for court-martial.¹²⁴ Tom Posey was not arrested. PATCON continued.

Waco

While the investigation of Posey remained in a holding pattern, a storm was gathering near Waco, Texas, that would crystallize the anger that had been building for years in the Patriot movement.

Not long after Timothy McVeigh met CMA associate Roger Moore at the Fort Lauderdale gun show, the Bureau of Alcohol, Tobacco and Firearms attempted to execute a search warrant at Mount Carmel outside Waco, the compound of the Branch Davidian cult led by David Koresh. The ATF believed the sect had assembled an arsenal of illegal weapons and brought a virtual army to raid the property on February 28, 1993. After a massive gunfight, resulting in deaths on both sides, a standoff ensued.¹²⁵

The Branch Davidians were known locally as gun traders. They frequented local gun shows and had links to the allied militia groups. One CMA associate sold ammunition to the sect.¹²⁶ An Illinois company, Nesard Gun Parts Co., sold weapons kits to both the Branch Davidians and the Texas Light Infantry.¹²⁷ McVeigh himself reputedly met Paul Fatta, a member of the Branch Davidians, at a gun show before the raid.¹²⁸

The Branch Davidians' enemies were also known. In the wake of the disastrous ATF raid, the FBI besieged Mount Carmel. Special Agent in Charge Jeff Jamar – head of the San Antonio field office that had been keeping watch on the TLI since 1991, and whose subordinates were conducting PATCON – took charge of the FBI forces surrounding the compound.¹²⁹ As the siege unfolded, many Patriots saw the

assault as just the kind of nightmare crackdown on gun owners they had feared all along.

CMA members even began discussing whether they should stage a paramilitary intervention on behalf of the Branch Davidians. At one of these meetings in March, a CMA member told others that he believed the sniper who had killed Vicki Weaver was part of the FBI's hostage team at Waco.¹³⁰ This turned out to be true, further entrenching the idea of a government conspiracy against gun owners.¹³¹

Posey and other CMA members also discussed revenge, proposing to bomb government buildings and to kill five FBI and ATF agents for every Branch Davidian who died at Waco. Investigators forwarded threat reports regarding CMA and John Grady's Order of St. John to FBI headquarters and the Hostage Rescue Team at Waco, but their weight was unclear.¹³² FBI officials involved with the siege said in 2012 that they were concerned in a general way about possible intervention by Patriot activists but did not recall any specific threats. Unlike earlier references to Ruby Ridge, Waco-related threats were not added to the list of justifications for PATCON.¹³³

As the siege dragged on for days, then weeks, members of various Patriot groups showed up outside the FBI's perimeter to camp out in protest. Former Texas Light Infantry members and associates asserted in interviews that the group was not represented among the protesters, but on March 18, Louis Beam was arrested at the scene after a vocal outburst at the FBI's daily press briefing.¹³⁴

Kirk Lyons, Beam's friend and former lawyer, inserted himself into negotiations between the FBI and the sect.¹³⁵ Lyons – who, like Beam, was good friends with several TLI members – fought to be allowed to represent Koresh.¹³⁶ Former TLI member Dave Hollaway assisted Lyons in his efforts.¹³⁷

Into this volatile mix walked Timothy McVeigh. During February, as the siege began, McVeigh had spent time with

Tom Posey's friend Roger Moore in Florida, meeting with him at least twice. "I told him that if he was going west, the next best gun show that he could go to, the biggest, was Tulsa, Oklahoma," Moore testified in 1997. Going further, the ammunition dealer invited McVeigh to visit Moore's ranch in Royal, Arkansas.¹³⁸

Reportedly transfixed by news accounts of events at Waco, McVeigh drove to the scene in mid-March, around the time Beam was arrested. He found a crowd of like-minded Patriot protesters camped outside the FBI perimeter around Mount Carmel. McVeigh camped there for a couple of days, passing out antigovernment bumper stickers and talking to a reporter about the injustice he perceived.¹³⁹

On April 19, 1993, the FBI stormed the Branch Davidians' compound at Mount Carmel. A fire broke out and 76 members of the sect were killed, including pregnant women and children. The conduct of the raid sparked a series of government investigations that ultimately concluded the fire was set by members of the sect, but serious criticisms were leveled against the government's handling of the case from start to finish.¹⁴⁰

For the Patriots, the assault was nothing short of murder, predicated solely on the fact that the Branch Davidians were armed. It was the grim fulfillment of *The Turner Diaries* prediction that the government would use any means necessary to disarm the public, and many saw a direct line between Ruby Ridge and Waco.

PATCON Ends

Just over a week had passed since the fiery conclusion to the Waco siege, and the VAM's Dave Rossi was in Benton, Tennessee, to meet with John Grady, head of the Order of St. John. It was a tense time for the movement. After Rossi was inspected to see if he was wearing a wire, the conversation turned to Waco.

"What will it take to wake up the American people?" Grady asked. The day could come when he might have to take up

arms against an oppressive government, but Grady said he was getting too old for such battles and would leave them to the young.¹⁴¹

Tom Posey was also pondering the events at Waco. In a meeting described by an informant, CMA members discussed the government's plans to enslave the population and talked about targets they could hit with terrorist attacks to avenge what Posey described as the "butchery" of the Branch Davidians by the FBI and ATF.¹⁴² Two days later, while driving to Birmingham with the informant, Posey again pointed out the building that housed the FBI's offices and suggested it would be a good target, just as he had a year before.¹⁴³

In the weeks after Waco, Posey's posture appeared to be hardening. Toward the end of April, he tried to confront a car full of FBI agents conducting surveillance on a handful of CMA members. The car drove away before the members could agree on an attack.¹⁴⁴

"The more volatile members of [CMA] appear not only prepared for, but desirous of a confrontation with federal officers," an FBI document stated.¹⁴⁵

Increasingly the discussion focused on a plan Posey had been talking about for a long time – a raid on the Browns Ferry nuclear power plant in Alabama. Posey believed the plant had an armory stocked with high-powered weapons he coveted. The idea for the raid was first reported by an informant in 1990, but it had gone nowhere since.

After Waco, it was back on the table. In the months after the end of the siege, Posey allegedly began crafting a plan to suborn the plant's security guards and break in using a five-man team.¹⁴⁶ With the plot apparently moving toward fruition, the FBI finally arrested Posey and several other CMA members in September 1993.

After years of infiltration – informants and multiple undercover operations by both the FBI and the Army – the

only charges brought against Posey stemmed from the theft of the night-vision goggles, which the Justice Department could have prosecuted almost a year earlier.

Five members of CMA and the pawn shop owner were indicted by a grand jury. Two of the defendants were convicted, and two pleaded guilty.¹⁴⁷ It was the only case investigated by PATCON that ever led to a trial, but the prosecution was based almost exclusively on evidence gathered by the Army's investigation and a handful of FBI informants.¹⁴⁸

Posey maintained at trial that he didn't know the goggles had been stolen and received a minimal sentence for trafficking in stolen goods. He was released from prison after two years, in early 1996, but CMA as an organization was basically finished.¹⁴⁹ And so was PATCON.

In April, the Knoxville field office (which oversaw PATCON) had come under scrutiny for its investigative focus. An FBI headquarters review committee expressed concern that Knoxville was "only obtaining intelligence and not moving forward with the criminal investigation."¹⁵⁰ The PATCON undercover agents were cautioned to limit their reporting to criminal activity and not "speeches or rhetoric protected by the First Amendment."¹⁵¹

An audit of PATCON financials the same month found that \$70,000 in funds slated for the operation had not been accounted for. The audit noted that the San Antonio division had been unable to fully respond to queries because the case agent overseeing PATCON on that end had been assigned to the Waco siege on a full-time basis.¹⁵² PATCON documents released under the Freedom of Information Act did not include any later records revealing whether the missing funds were accounted for.

On June 22, Rossi visited Grady for the last time. At the end of the meeting, according to the undercover agent's report, Grady apologized for initially suspecting Rossi was a "fed" and invited him to come back anytime.¹⁵³

In Grady's recollection of that meeting, he confronted Rossi and accused him of being an undercover agent, resulting in Rossi breaking off contact.¹⁵⁴ Either way, FBI headquarters determined in July "that insufficient justification exists to justify" a continued investigation of the Order of St. John, the pretext to which PATCON had most recently been attached.

Both the investigation and the undercover operation were terminated. San Antonio and Knoxville were instructed in unusually strong terms that they "should conduct no further investigation regarding either [the Order of St. John] or PATCON."¹⁵⁵ Grady was never charged with any crime relating to the PATCON-era investigation of his group. Today, he serves as Grand Master Emeritus of the Order of St. John.

Tom Posey stayed out of the headlines for some time after his release from prison in early 1996.¹⁵⁶ But in January 2009, he was brought before a federal judge once more, charged with possession of a 9mm pistol, a .22-caliber revolver, and an M-1 .30-caliber rifle, which he was forbidden to own due to his status as a convicted felon.

Posey was preparing to enter a guilty plea to the charges when he was afflicted by a stroke, which left him on a feeding tube. He was unable to participate in or understand the proceedings against him. The government dismissed the charges in October 2010. Posey died nine months later.¹⁵⁷

Oklahoma City Begins

Waco left Timothy McVeigh a changed man. He was already steeped in Patriot rhetoric, but the process accelerated after Mount Carmel, where the movement had gathered. McVeigh began listening to Patriot shortwave broadcasts religiously and consuming the movement's literature and videotapes found at gun shows.¹⁵⁸

The Patriots' rhetoric had hardened after years of cold war with the FBI and ATF, and the all too overt events at Ruby

Ridge and Waco. PATCON had ended, but remnants of the targeted groups were scattered along McVeigh's path.

After leaving Waco in the second half of March, McVeigh continued on to Tulsa to set up a table at the gun show Roger Moore had recommended. Waco dominated the conversation.

McVeigh met two other men in Tulsa. One was Andreas Strassmeir, a German citizen who had moved to the United States some years earlier. According to FBI documents, he had spent time with the Texas Light Infantry, then moved to Elohim City, a rural Oklahoma community heavily associated with members of the racist Christian Identity movement. The other was Dennis Mahon, a friend of Strassmeir and frequent visitor to Elohim City.¹⁵⁹

After the Tulsa gun show ended, McVeigh visited with Moore and his girlfriend, Karen Anderson, for a few days, then went to visit an old Army buddy, Terry Nichols, at his home in Decker, Michigan. On April 19, they watched in horror as TV news reports showed the unfolding disaster at Waco.¹⁶⁰

In September, Moore and McVeigh met at the *Soldier of Fortune* convention in Las Vegas, which was a regular recruiting and social occasion for CMA. Posey and other senior CMA members were at the event, which took place days before Posey's arrest and at the height of Posey's chatter about revenge for the deaths at Mount Carmel.¹⁶¹

Tensions ran high at the convention, and the organizers strongly urged participants to stay away from politics. McVeigh did not heed the warning, talking loudly to Moore about Waco and the Patriots in front of a convention attendee who was wearing a law enforcement badge. Moore told McVeigh to keep quiet about Patriots. The men got into a shouting match, but patched things up before the end of the day.¹⁶²

A couple of weeks later, McVeigh and Moore attended a popular gun show at Knob Creek in Kentucky.¹⁶³ Moore set

up a table across the aisle from a member of the Order of St. John who served as an aide to John Grady.¹⁶⁴

Tom Posey and other CMA members had regularly attended the Knob Creek show in previous years, and just one year earlier, the informant for the Army's Criminal Investigation Division had obtained a pair of night-vision goggles from a CMA associate there.¹⁶⁵

Years after the fact, Terry Nichols, McVeigh's co-conspirator in the 1995 Oklahoma City bombing, wrote in a sworn statement that McVeigh had learned how to make his bomb at the 1993 show at Knob Creek.¹⁶⁶ Nichols also alleged that Moore was a knowing participant in the bombing and an FBI informant, claims that have never been substantiated elsewhere.¹⁶⁷

Capping off a convoluted tale, Nichols today claims the entire bombing was directed by the FBI. According to Nichols, McVeigh admitted he had been recruited by the government as an *agent provocateur*, improbably taking orders from an FBI official¹⁶⁸ who was also at least tangentially involved in the investigation of John Grady and the Order of St. John.¹⁶⁹ Most of Nichols's allegations remain, at best, unverifiable.

Despite the overlap between his claims and the groups targeted by PATCON, Nichols said in an interview for this report that he'd never heard of the American Pistol and Rifle Association or Civilian Materiel Assistance before his arrest. Nichols said he was unaware of McVeigh having contact with either group.¹⁷⁰

In the days before the bombing, McVeigh placed calls to two people associated with the Texas Light Infantry. On April 5, 1995, McVeigh called Elohim City, the home of Andreas Strassmeir, the man McVeigh met at the Tulsa gun show in 1993. Testimony in the trial of Terry Nichols indicated that McVeigh had been trying to reach Strassmeir, but there is no evidence the two spoke.¹⁷¹

FBI documents describe Strassmeir as a member of the TLI, but a former member said in an interview that only U.S. citizens could join the organization. Strassmeir was, at minimum, friends with several people associated with the group.¹⁷² Strassmeir did not respond to requests for an interview, but he has repeatedly denied any contact with McVeigh beyond the 1993 meeting in Tulsa.¹⁷³

On April 18, the day before the bombing, Dave Hollaway, the former member of TLI who had taken a job with the CAUSE Foundation, received a phone call at the foundation's office from a person who did not identify himself but was later determined to be McVeigh.

Strassmeir had lived with Hollaway off and on in various places over the course of about five years. After the bombing, Hollaway flew with Strassmeir back to his native Germany. In an e-mail interview, Hollaway said the caller to the foundation who was later identified as McVeigh spoke only in generalities. Hollaway also said he had cautioned the caller against any illegal acts.¹⁷⁴

Strassmeir and Dennis Mahon had remained close. Starting in 1994 and continuing through early 1995, an ATF informant named Carol Howe reported on both Strassmeir and Mahon. According to Howe, the men were discussing bombing a federal building, specifically including one in Oklahoma City.¹⁷⁵ On April 19, 1995, the second anniversary of the Waco assault, a truck bomb exploded outside the Alfred P. Murrah Federal Building in downtown Oklahoma City, killing 168 people. McVeigh would be executed for the crime; Nichols received life sentences.

Mahon would go on to become a well-known figure in white supremacist circles and was convicted in February 2012 for the mail bombing of a state diversity official in Arizona eight years earlier. After his arrest in 2009, Mahon told his cellmate that he was “the number three anonymous person in the Oklahoma City bombing investigation.”¹⁷⁶ At press time, Mahon's sentencing was set for May 22, 2012.¹⁷⁷

Infiltration and Patriot Rhetoric

Infiltration would cast a long shadow over the Patriot movement in the wake of the Oklahoma City bombing. Most important, it provided a mechanism for deflecting blame, prompting Patriot activists to rewrite history to shift responsibility away from the crime's perpetrators – McVeigh and anyone who helped him – and onto the federal government.

Patriot rhetoric after the bombing turned almost immediately toward claims that *agents provocateurs* had played a key role in the attack, a natural fit for the conspiracy-minded movement. The reality of the FBI's extensive infiltration of Patriot groups made such claims easy to mount and hard to glibly discount.

The idea of *agent provocateur* tends to outstrip the reality, due partly to its rhetorical power and partly from its use as a last-ditch legal defense by people caught in the act. After the World Trade Center truck bombing in 1993 and a subsequent, thwarted plot to bomb New York City landmarks, defense attorneys and some in the Muslim community zeroed in on Emad Salem, an informant who played a key role gathering evidence while posing as a co-conspirator. The charge that Salem was an *agent provocateur* was roundly discredited in court proceedings, but it continues to be repeated by Muslim radicals and even by Patriot figures interviewed for this report.¹⁷⁸

Many Patriots still believe the Oklahoma City bombing was a government conspiracy, with almost everyone involved or adjacent to the plot being identified at one time or another as an *agent provocateur*, particularly Roger Moore and Andreas Strassmeir, but even McVeigh himself. Patriot movement figures interviewed for this report insisted that the bombing was supported by government *provocateurs*, while adding that the agents were not they themselves or anyone they knew personally.

Numerous people interviewed for this report described PATCON's Dave Rossi as a government *provocateur*.

Claims that were made on the record were not specific, and claims that were specific were not made on the record. Despite the fact that virtually no one speaking on the record would describe Rossi's activities in anything but the vaguest terms, claims about PATCON's provocative nature have mushroomed online since the existence of the program was first disclosed by the author in 2007. A number of online postings in 2011 and 2012 used the existence of PATCON to argue that Attorney General Eric Holder was personally responsible for the Oklahoma City bombing, despite the fact that at the time he was the U.S. Attorney for the District of Columbia. No evidence exists to suggest Holder was linked to PATCON or that he played any sort of role in managing informants or undercover agents anywhere in the vicinity of the bombing.¹⁷⁹

The persistence of the *provocateur* paradigm points toward the secondary effects of infiltration, which are rarely scrutinized. The reality of the FBI's extensive infiltration of the Patriot movement helps reinforce a paranoid worldview in which the government becomes the perpetrator of crimes like the Oklahoma City bombing, thus exonerating true radical figures and providing a fresh (if usually false) grievance to fuel further radicalization.

The problem is compounded by credible allegations that reasonable people would likely see as excess and overreach, notably the use of sex and sexualized interactions. One informant dated Andreas Strassmeir for months during the 1990s and later implicated him in the Oklahoma City bombing.¹⁸⁰ Years later, a different informant reportedly used sexual innuendo and provocative pictures to get close to Strassmeir's former roommate Dennis Mahon. In both cases, observers claimed or suspected that the informants had sex with their targets in the course of collecting information, allegations that are credible but not verified. (In Mahon's case, the government specifically denied during court proceedings that sexual intercourse had taken place.)¹⁸¹ The sex issue is not limited to Patriots. In March 2012, a male informant who has made questionable claims in the past alleged he was authorized by the FBI to have sex

with women in the Muslim community as part of his infiltration.¹⁸²

There is also a venerable history of FBI misconduct in this regard. Most infamous is a covert FBI program known as COINTELPRO (an acronym for Counterintelligence Program), which monitored and harassed a wide variety of domestic political groups from 1956 to 1971, ranging from the Ku Klux Klan to communists, socialists and anti-war organizations. COINTELPRO had a wide mandate based on a national security claim and crossed numerous lines infringing on American's First Amendment rights.

The program, which has been rigorously documented, has become shorthand for FBI excess.¹⁸³ It is frequently cited by critics of infiltration-driven investigations of extremism in the Muslim community and by Patriot figures in various writings and during the course of interviews for this report.¹⁸⁴

COINTELPRO demonstrates the damage that can be done by FBI overreach. Critics of FBI tactics are still bringing it up decades later, both as a pejorative and as evidence that the government is willing and capable of engaging in broadly abusive behavior in the name of national security, showing that breaches of trust can have ramifications for generations to come.

Recommendations

The PATCON case study points to the need to gather more data on the secondary effects of infiltration and to manage the use of this tool more responsibly. Areas for further study and additional government disclosure include:

An independent examination of the FBI's statistical scoring system for evaluating field office performance, with an eye toward measuring how the frequency of use of extraordinary tools such as Foreign Intelligence Surveillance Act (FISA) warrants and undercover operations compares to the frequency of prosecutions resulting from such investigations. This should not be seen

as marshaling evidence against the use of extraordinary tools, but the number of completed prosecutions is a valid and useful data point in this discussion. The statistical scoring system should also be evaluated as to whether it creates artificial pressure to use infiltration and other extraordinary techniques apart from a legitimate investigative interest.

A quantitative study of the long-term use by federal agencies of confidential sources (informants) and undercover operations that have been publicly disclosed. This study should identify useful data for comparison and analysis, such as the length of infiltration, the number of agents and informants per target, the number of targets covered by each agent and informant, the tactics used to infiltrate, conviction rates, and judicial rulings on the admissibility of informant and undercover testimony. The study should also define and quantify the types of confidential sources used, since these can range from a one-time report of suspected misdoings to extended surveillance by paid informants.

Use of the Freedom of Information Act to create additional detailed case studies of historical infiltration operations that have not been fully and publicly disclosed, with special attention to violent extremism cases with significant risk of alienating or radicalizing feedback in targeted communities.

Detailed polling and focus groups to collect data on how infiltration is perceived in both targeted communities and control groups, with an eye toward understanding the secondary effects of infiltration and how they affect public trust in government and willingness to cooperate with law enforcement.

Case studies on the use of informants and undercover operations by local law enforcement agencies in different jurisdictions, where many of the same issues apply. Compare and contrast these examples with federal programs.

Additional study should proceed with a clear understanding that infiltration is an important tool for law enforcement, but one that poses unique challenges in direct proportion to its unique capabilities. Such study should be undertaken by strictly neutral parties rather than advocates, since the volume and nature of the data make it easy to selectively mine information in support of a pre-determined conclusion. The extreme complexity and political volatility of the issues that arise from infiltration programs create an unusually high risk of such confirmation bias.

Sources, Disclaimers, and Acknowledgments

The bulk of this report is based on Freedom of Information Act requests pertaining to the groups and persons described, as well as a request for all documents pertaining to the PATCON undercover operation.

I first discovered PATCON based on FOIA requests for information about the Texas Light Infantry, which led me to the Order of St. John and Civilian Materiel Assistance. A handful of documents from those requests referenced the undercover operation. I published the first-ever report on PATCON in 2007 along with some of the documents on my Web site, Intelwire.com (<http://news.intelwire.com/2007/10/patcon-revealed-exclusive-look-inside.html>).

I subsequently filed an FOIA request specifically focused on PATCON. Around the same time, Salt Lake City attorney Jesse Trentadue independently did the same, based on our conversations about the material. We subsequently shared the results, as each of our requests covered slightly different types of material.

Trentadue is well known for his FOIA lawsuit against the FBI over the Oklahoma City bombing (more information can be found at www.kennethtrentadue.com and at <http://news.intelwire.com/search?q=trentadue>). In addition to sharing the results of the PATCON FOIA, Trentadue provided a significant number of additional documents pertaining to the bombing.

Roger Charles, who has co-authored a forthcoming book on the Oklahoma City bombing ([Oklahoma City: What the Investigation Missed—and Why It Still Matters](#), with Andrew Gumbel) has discussed various aspects of the case with me over the course of several years, and his insights have always been useful and very much appreciated.

Some people with direct knowledge of the events described in this report discussed them with me at length, shared material, and verified independently obtained information

but declined to speak on the record. They have my heartfelt thanks.

Editor Janet Walsh and former FBI special agent David Gomez reviewed this report at various stages and offered editing suggestions and helpful notes. Many thanks are due Brian Fishman of the New America Foundation, who made this report happen and provided substantial feedback along the way.

As noted in various places in the text, the events described in documents are presented mostly from the perspective of the FBI and specifically from the perspective of information the FBI was willing to release; the report should be read with that in mind. When information contained in the documents contradicted information from other sources, the contradiction was either noted in the text or the information was omitted until it can be more clearly verified.

I continue to investigate the events and personalities described in this report. Several story elements and allegations that could not be fully verified by press time but did not contradict the account in the report were omitted from the story. It is my intention to continue fleshing out this story. Persons with direct knowledge of these events should feel free to contact me through my Web site, www.jmberger.com.

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¹⁶⁴ APRA videotape, op. cit.; FBI FD-302, interview with Kenneth Joseph Sumner (Knob Creek Gun Show), December 26, 1995; Nexis address search; <http://www.osjknights.com/govt.htm>

¹⁶⁵ Interview with Tony Gooch; FBI communication, undated, re night-vision goggles theft

¹⁶⁶ Affidavit of Terry Nichols, February 9, 2007

¹⁶⁷ Ibid. Repeated efforts to reach Moore for comment were unsuccessful, and he did not respond to a voicemail message requesting an interview.

¹⁶⁸ Nolan Clay, "Nichols claims FBI official directed bombing; McVeigh cohort again claims robbery of a gun collector was simply staged," *The Oklahoman* (Oklahoma City), February 22, 2007

¹⁶⁹ FBI letterhead memorandum, from Danny Coulson to Larry Potts, request for extension of investigation, "Order of St. John," January 1, 1993

¹⁷⁰ Interview with Terry Nichols, March 2012

¹⁷¹ Summary of telephone activity on Daryl Bridges's account, Spotlight Prepaid Card, December 7, 1993 to April 17, 1995; trial transcript, *U.S. v. Terry Nichols*, December 10, 1997

¹⁷² Interview with Dave Hollaway; interview with Kirk Lyons

¹⁷³ FBI FD-302, record of interviews with Andreas Strassmeir, April 30, 1996, and May 1, 1996

¹⁷⁴ Interview with Dave Hollaway; FBI FD-302 record of interview, David Hollaway, August 12, 1996

¹⁷⁵ FBI FD-302, interview with confidential source "Carol," April 21, 1995; trial transcript, *U.S. v. James Viehhaus and Carol Howe*, April 24, 1997

¹⁷⁶ <http://news.intelwire.com/2012/01/witness-dennis-mahon-claimed-he-was.html>

¹⁷⁷ Press release, Office of the United States Attorney, District of Arizona, "Federal Jury Finds Dennis Mahon Guilty in Scottsdale Bombing Case," February 24, 2012

¹⁷⁸ *U.S. v Omar Abdel Rahman, et al.*, S5 93 Cr. 181 (MBM); *U.S. v. Ramzi Yousef and Eyad Ismoil*, S12 93 CR180 (KTD); *U.S. v. Salameh*, S593CR.180 (KTD); various interviews with Patriot and Islamist radicals.

¹⁷⁹ "AG Eric Holder was responsible for 168 deaths in the 1995 Oklahoma City bombing ... and more," <http://www.coachisright.com/ag-eric-holder-responsible-for-168-deaths-in-1995-oklahoma-city-bombing%E2%80%A6and-more/>; "According to FOIA, Eric Holder provided Timothy McVeigh with explosives," <http://www.godlikeproductions.com/forum1/message1732063/pg1>; "Eric Holder Tied to Oklahoma City Bombers,"

<http://www.heretical.comwww.vnnforum.com/showthread.php?p=1345706>; et al.

¹⁸⁰ FBI FD-302, interview with confidential source "Carol," April 21, 1995; trial transcript, *U.S. v. James Viehhaus and Carol Howe*, April 24, 1997; interview with Kirk Lyons, March 2012

¹⁸¹ Interview with Deborah Williams, attorney for Dennis Mahon, March 2012; interview with Kirk Lyons, March 2012; "Jury finds white supremacist guilty in Arizona bombing," Associated Press, February 24, 2012; et al.

¹⁸² Paul Harris, "The ex-FBI informant with a change of heart: 'There is no real hunt. It's fixed,'" *The Guardian* (UK), March 20, 2012

¹⁸³ "Going undercover, Criminalizing Dissent," <http://www.pbs.org/now/politics/cointelpro.html>; FOIA documents at <http://vault.fbi.gov/cointel-pro>; Ward Churchill and Jim Vander Wall, *The COINTELPRO Papers: Documents from the FBI's Secret Wars Against Dissent in the United States* (South End Press Classics Series, Canada, 2001)

¹⁸⁴ See Council for American-Islamic Relations Michigan video, "COINTELPRO Tactics Affecting the Muslim American Community," <http://www.youtube.com/watch?v=Uwe8Aoeb3d4>; for examples of Patriot reference, see <http://libertyandjusticeunited.org/> which includes references to both PATCON and COINTELPRO; interview with Dave Hollaway.



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