

# Mounting questions over US anthrax probe and scientist's alleged suicide

By Patrick Martin  
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One week after an Army germ warfare scientist apparently committed suicide, there are mounting questions over the government's handling of the investigation into the 2001 anthrax attacks and expressions of skepticism regarding the sensationalized media coverage of the past four days.

Colleagues and friends of Dr. Bruce Ivins, who died Tuesday from an overdose of prescription Tylenol he had taken two days earlier, have cast doubt on the claims by the FBI and Justice Department that Ivins perpetrated the anthrax attacks. They have also debunked many of the claims made in initial news reports about Ivins' death.

Ivins' lawyer, Paul Kemp, sent an email to news organizations Saturday denouncing reports that his client was considering a plea bargain to avoid a death sentence for the anthrax mailings, calling such reports "entirely spurious." Kemp had been contacted by federal investigators—the FBI interviewed Ivins several times over the past year as well as searching his home—but there was no discussion of a possible plea.

Initial press accounts suggested that Ivins had committed suicide because he faced imminent indictment on five capital murder charges, with prosecutors determined to seek the death penalty. National Public Radio reported Sunday, however, that government investigators said they "still were several major legal steps away from indicting" Ivins, and that the Department of Justice leadership had not yet approved bringing charges. The process of obtaining executive approval, presenting the case to the grand jury and obtaining an indictment "could have taken weeks."

There were conflicting reports about whether Ivins had the skills necessary to create the finely ground powder form of anthrax used in the 2001 mailings. Some germ warfare experts said that the job was not that difficult from a technical standpoint. But Dr. Alan P. Zelicoff, a physician formerly consulted by the FBI investigation, told the *New York Times*, "I don't think a vaccine specialist could do it. This is aerosol physics, not biology. There are very few people who have their feet in both camps."

Several current and former officials at the US Army

Medical Research Institute for Infectious Diseases (USAMRIID), where Ivins worked, said they would not believe the charges against Ivins without convincing evidence that the FBI has yet to produce. Jeffrey J. Adamovicz, former director of the bacteriology division at USAMRIID, told the *Washington Post*, "I really don't think he's the guy. I say to the FBI, 'Show me your evidence'." He added, referring to the intense investigative pressure on Ivins, "A lot of the tactics they used were designed to isolate him from his support. The FBI just continued to push his buttons."

Many of Ivins' co-workers blamed his evident psychological disintegration on the constant harassment by the FBI, and said his suicide should not be viewed as an admission of guilt. Local police have refused to reveal whether Ivins left a suicide note.

The official statement issued by USAMRIID said the agency "mourns the loss of Dr. Bruce Ivins, who served the institute for more than 35 years as a civilian microbiologist." *Time* magazine commented: "That seems like an unusual thing to say if you believe one of your employees had something to do with an anthrax attack."

The magazine continued, "It now remains incumbent on the FBI to reveal what information it had linking Ivins to the attacks. Given the federal government's record on the anthrax investigation, and the national security interests involved, Ivins' death should not be used as an excuse for the case to be closed without a full, public airing."

The *Los Angeles Times* reported similar sentiments expressed by the lawyer for the family of Bob Stevens, the photo editor for the *Sun* tabloid who died in the first anthrax mailing. "The family definitely wants to be able to see the evidence that the FBI has accumulated, that they're not just trying to make this guy a scapegoat," Schuler said.

Several press accounts cited FBI officials and government scientists who could not be quoted by name, claiming that Ivins was identified as the anthrax mailer through the use of sophisticated new DNA testing techniques that were not available at the time of the attacks, which killed five people

and sickened 17 more between late September and early November 2001.

The Associated Press (AP) reported that DNA testing had conclusively linked the strain of anthrax used in the mailing to the biological weapons laboratory at Fort Detrick, near Frederick, Maryland, where Ivins worked, and to his work area within the lab. “It had to do with the very specific characteristics in the DNA of the letters and what was in Bruce’s labs,” an unidentified scientist told AP. “They were cultures he was personally responsible for.”

The AP report noted, however: “Dozens of other researchers in Ivins’ lab also had access to the type of Ames strain used in the attacks, the scientist said, meaning the DNA alone is not enough to prove his guilt.”

FBI and Justice Department officials have so far refused to release any evidence that would conclusively link Ivins to the anthrax mailings, citing the secrecy of grand jury proceedings. The next step could be an official decision to shut down the investigation and dissolve the grand jury, on the supposition that Ivins was a lone attacker and cannot now be prosecuted.

The downside to such an action—from the standpoint of these agencies—is that they could then be compelled to release the files of the case, either through congressional hearings or Freedom of Information Act suits brought by the press or the families of the victims.

It is not possible to determine at this point, given the lack of evidence, whether Dr. Bruce Ivins was responsible for the anthrax attacks. What can be said with certainty, however, is that the FBI, the Justice Department and the Bush White House are all proceeding as though they have something to hide.

The Bush administration has refused all congressional requests for information on the investigation for nearly seven years. Even the two Democratic officials whose offices were targets of the anthrax mailings, Tom Daschle, the former Senate majority leader, and Patrick Leahy, still the chairman of the Senate Judiciary Committee, have been denied any significant briefing on the progress of the case.

Daschle, who was defeated for reelection in 2004 and is now a top adviser to the presidential campaign of Senator Barack Obama, issued a statement saying that “the FBI owes it to the country to provide some accounting of their investigation and their expectations for a successful conclusion.” But most of Daschle’s former Senate and House colleagues have been remarkably silent on what must be considered the attempted assassination of the Democratic Senate leadership.

One of the few criticisms of the FBI’s handling of the anthrax case came from a Republican, Senator Charles Grassley of Iowa, who declared, “It’s been frustrating that

the FBI has essentially shut out Congress throughout its seven-year investigation. Now seems to be the opportune time for the bureau to brief Congress about whether the case is to be closed and justice will be served ... In the meantime, we should remember that a rush to judgment can be dangerous and expensive for everyone. The last person the FBI had in its sights in this case suffered for six years and just collected a \$6 million settlement.”

This was a reference to the FBI pursuit of Steven Hatfill, a former bioweapons scientist at Fort Detrick who was publicly named a “person of interest” in the anthrax case by then-Attorney-General John Ashcroft in 2002. The Justice Department agreed in June to pay Hatfill \$5.8 million to drop his civil suit against government harassment.

The American media has consistently downplayed the evident right-wing political motivation of the anthrax attacks. One incident, reported by the Brad Blog web site, captures this deliberate political censorship. When the site contacted Tom Ivins, brother of the deceased scientist, and asked him what Bruce Ivins’s political views were, “He was surprised by the question, and although he said he’d been speaking with reporters all day ... none of the other reporters, not one of them, had asked him about his brother’s political affiliations, leanings, or beliefs.”

What these views are remains unclear, beyond his professed support to the most socially conservative tenets of Roman Catholicism. But the indifference to the question shows the determination, on the part of the media and political elite, to attribute terrorism exclusively to Islamic fundamentalists while ignoring the violent activities of the ultra-right.

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