

# Head of the FBI's Anthrax Investigation Says the Whole Thing Was a Sham

By [Washington's Blog](#)

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## Agent In Charge of Amerithrax Investigation Blows the Whistle

The FBI head agent in charge of the anthrax investigation – Richard Lambert – has just [filed a federal whistleblower lawsuit](#) calling the entire FBI investigation bulls\*\*t:

In the fall of 2001, following the 9/11 attacks, a series of anthrax mailings occurred which killed five Americans and sickened 17 others. Four anthrax-laden envelopes were recovered which were addressed to two news media outlets in New York City (the New York Post and Tom Brokaw at NBC) and two senators in Washington D.C. (Patrick Leahy and Tom Daschle). The anthrax letters addressed to New York were mailed on September 18, 2001, just seven days after the 9/11 attacks. The letters addressed to the senators were mailed 21 days later on October 9, 2001. A fifth mailing of anthrax is believed to have been directed to American Media, Inc. (AMI) in Boca Raton, Florida based upon the death of one AMI employee from anthrax poisoning and heavy spore contamination in the building.

Executive management at FBI Headquarters assigned responsibility for the anthrax investigation (code named “AMERITHRAX”) to the Washington Field Office (WFO), dubbing it the single most important case in the FBI at that time. In October 2002, in the wake of surging media criticism, White House impatience with a seeming lack of investigative progress by WFO, and a concerned Congress that was considering revoking the FBI's charter to investigate terrorism cases, Defendant FBI Director Mueller reassigned Plaintiff from the FBI's San Diego Field Office to the Inspection Division at FBI Headquarters and placed Plaintiff in charge of the AMERITHRAX case as an “Inspector.” While leading the investigation for the next four years, Plaintiff's efforts to advance the case met with intransigence from WFO's executive management, apathy and error from the FBI Laboratory, politically motivated communication embargos from FBI Headquarters, and yet another preceding and equally erroneous legal opinion from Defendant Kelley – all of which greatly obstructed and impeded the investigation.

On July 6, 2006, Plaintiff provided a whistleblower report of mismanagement to the FBI's Deputy Director pursuant to Title 5, United States Code, Section 2303. Reports of mismanagement conveyed in writing and orally included: (a) WFO's persistent understaffing of the AMERITHRAX investigation; (b) the threat of WFO's Agent in charge to retaliate if Plaintiff disclosed the understaffing to FBI Headquarters; (c) WFO's insistence on staffing the AMERITHRAX investigation principally with new Agents recently graduated from the FBI Academy resulting in an average investigative tenure of 18 months with 12 of 20 Agents assigned to the case having no prior investigative experience at all; (d) WFO's eviction of the AMERITHRAX Task Force from the WFO building in

downtown Washington and its relegation to Tysons Corner, Virginia to free up space for Attorney General Ashcroft's new pornography squads; (e) FBI Director's Mueller's mandate to Plaintiff to "compartmentalize" the AMERITHRAX investigation by stove piping the flow of case information and walling off task force members from those aspects of the case not specifically assigned to them – a move intended to stem the tide of anonymous media leaks by government officials regarding details of the investigation. [Lambert complained about compartmentalizing and stovepiping of the investigation in a 2006 declaration. See [this](#), [this](#) and [this](#)]

This sequestration edict decimated morale and proved unnecessary in light of subsequent civil litigation which established that the media leaks were attributable to the United States Attorney for the District of Columbia and to a Supervisory Special Agent in the FBI's National Press Office, not to investigators on the AMERITHRAX Task Force; (f) WFO's diversion and transfer of two Ph.D. Microbiologist Special Agents from their key roles in the investigation to fill billets for an 18 month Arabic language training program in Israel; (g) the FBI Laboratory's deliberate concealment from the Task Force of its discovery of human DNA on the anthrax-laden envelope addressed to Senator Leahy and the Lab's initial refusal to perform comparison testing; (h) the FBI Laboratory's refusal to provide timely and adequate scientific analyses and forensic examinations in support of the investigation; (i) Defendant Kelley's erroneous and subsequently quashed legal opinion that regulations of the Occupational Safety and Health Administration (OSHA) precluded the Task Force's collection of evidence in overseas venues; (j) the FBI's fingering of Bruce Ivins as the anthrax mailer; and, (k) the FBI's subsequent efforts to railroad the prosecution of Ivins in the face of daunting exculpatory evidence.

Following the announcement of its circumstantial case against Ivins, Defendants DOJ and FBI crafted an elaborate perception management campaign to bolster their assertion of Ivins' guilt. These efforts included press conferences and highly selective evidentiary presentations which were replete with material omissions. Plaintiff further objected to the FBI's ordering of Plaintiff not to speak with the staff of the CBS television news magazine 60 Minutes or investigative journalist David Willman, after both requested authorization to interview Plaintiff.

In April 2008, some of Plaintiff's foregoing whistleblower reports were profiled on the CBS television show 60 Minutes. This 60 Minutes segment was critical of FBI executive management's handling of the AMERITHRAX investigation, resulting in the agency's embarrassment and the introduction of legislative bills calling for the establishment of congressional inquiries and special commissions to examine these issues – a level of scrutiny the FBI's Ivins attribution could not withstand.

After leaving the AMERITHRAX investigation in 2006, Plaintiff continued to publicly opine that the quantum of circumstantial evidence against Bruce Ivins was not adequate to satisfy the proof-beyond-a-reasonable doubt threshold required to secure a criminal conviction in federal court. Plaintiff continued to advocate that while Bruce Ivins may have been the anthrax mailer, there is a wealth of exculpatory evidence to the contrary which the FBI continues to conceal from Congress and the American people.

## Exonerating Evidence for Ivins

Agent Lambert won't publicly disclose the exculpatory evidence against Ivins. As the New York Times [reports](#):

[Lambert] declined to be specific, saying that most of the information was protected by the Privacy Act and was unlikely to become public unless Congress carried out its own inquiry.

But there is already *plenty* of exculpatory evidence in the public record.

[For example](#):

- Handwriting analysis failed to link the anthrax letters to known writing samples from Ivins
- No textile fibers were found in Ivins' office, residence or vehicles matching fibers found on the scotch tape used to seal the envelopes
- No pens were found matching the ink used to address the envelopes
- Samples of his hair failed to match hair follicles found inside the Princeton, N.J., mailbox used to mail the letters
- No souvenirs of the crime, such as newspaper clippings, were found in his possession as commonly seen in serial murder cases
- The FBI could not place Ivins at the crime scene with evidence, such as gas station or other receipts, at the time the letters were mailed in September and October 2001
- Lab records show the number of late nights Ivins put in at the lab first spiked in August 2001, weeks before the 9/11 attacks

As noted above, the FBI didn't want to test the DNA sample found on the anthrax letter to Senator Leahy. In addition, McClatchy [points out](#):

After locking in on Ivins in 2007, the bureau stopped searching for a match to a unique genetic bacterial strain scientists had found in the anthrax that was mailed to the Post and to NBC News anchor Tom Brokaw, although a senior bureau official had characterized it as the hottest clue to date.

Anthrax vaccine expert Meryl Nass. M.D., [notes](#):

The FBI's alleged motive is bogus. In 2001, Biopart's anthrax vaccine could not be (legally) relicensed due to potency failures, and its impending demise provided room for Ivins' newer anthrax vaccines to fill the gap. Ivins had nothing to do with developing Biopart's vaccine, although in addition to his duties working on newer vaccines, he was charged with assisting Biopart to get through licensure.

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The FBI report claims the anthrax letters envelopes were sold in Frederick, Md. Later it admits that millions of indistinguishable envelopes were made, with

sales in Maryland and Virginia.

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FBI emphasizes Ivins' access to a photocopy machine, but fails to mention it was not the machine from which the notes that accompanied the spores were printed.

## FBI Fudged the Science

[16 government labs](#) had access to the same strain of anthrax as used in the anthrax letters.

The FBI admitted that up to [400 people](#) had access to flask of anthrax in Dr. Ivins' lab. In other words, even if the killer anthrax came from there, 399 other people might have done it.

However, the FBI's claim that the killer anthrax came from Ivins' flask has fallen apart. Specifically, both the National Academy of Science and the Government Accountability Office – both extremely prestigious, nonpartisan agencies – found that FBI's methodology and procedures for purportedly linking the anthrax flask maintained by Dr. Ivins with the anthrax letters was [sloppy, inconclusive and full of holes](#). They found that the alleged link [wasn't very strong](#) ... and that there was [no firm link](#). Indeed, the National Academy of Sciences found that the anthrax mailed to Congressmen and the media could have come from a *different source altogether* than the flask maintained by Ivins.

After all, the entire Ft. Detrick facility – where Ivins worked – only dealt with *liquid* anthrax. But the killer anthrax was a hard-to-make *dry powder* form of anthrax. Ft. Detrick doesn't produce dry anthrax; but other government labs – in [Utah \(Dugway\)](#) and [Ohio \(Batelle\)](#) – do.

The anthrax in the letters was also *incredibly* finely ground; and the FBI's explanation [doesn't pass the smell test](#).

Moreover, the killer anthrax in the letters had a [very high-tech anti-static coating](#) so that the spores “floated off the glass slide and was lost” when scientists tried to examine them. Specifically, the killer anthrax was [coated with polyglass and each anthrax spore given an electrostatic charge](#), so that they would repel other spores and “float”. In other words, this was very advanced bio-weapons technology.

Top anthrax experts like Richard Spertzel [say](#) that Ivins didn't do it. Spertzel also [says](#) that only 4 or 5 people in the entire country knew how to make anthrax of the “quality” used in the letters, that Spertzel was one of them, and it would have taken him *a year with a full lab and a staff of helpers* to do it. As such, the FBI's claim that Ivins did it alone working a few nights is ludicrous.

Moreover, the killer anthrax [contained silicon ... but the anthrax in Ivins' flask did not](#). The FBI claimed the silicon present in the anthrax letters was absorbed from its surroundings ... but Lawrence Livermore National Laboratories [completely debunked](#) that theory. In other words, silicon was intentionally added to the killer anthrax to make it more potent. And Ivins and Ft. Detrick [didn't have that capability; but other government labs did](#).

Similarly, Sandia National Lab found the [presence of iron and tin in the killer anthrax ... but NOT](#) in Ivins' flask of anthrax.

Sandia also found that there was a [strain of bacteria](#) in one of the anthrax letters not present in Ivins' flask.

### The Anthrax Frame Up

Ivins wasn't the first person framed for the anthrax attacks ...

Although the FBI now admits that the 2001 anthrax attacks were carried out by one or more U.S. government scientists, a senior FBI official says that the FBI was actually [told to blame the Anthrax attacks on Al Qaeda by White House officials](#) (remember what the anthrax letters [looked like](#)). Government officials also confirm that the white House [tried to link the anthrax to Iraq](#) as a justification for regime change in that country. And [see this](#).

People don't remember now, but the "war on terror" and Iraq war were [largely based on the claim that Saddam and Muslim extremists were behind the anthrax attacks](#) (and see [this](#) and [this](#))

And the anthrax letters pushed a terrified Congress into approving the Patriot Act without even reading it. Coincidentally, the only Congressmen who received anthrax letters were the [ones who were likely to oppose the Patriot Act](#).

And - between the Al Qaeda/Iraq angle and Ivins - the FBI was convinced that another U.S. government scientist, Steven Hatfill, did it. The government had to pay Hatfill \$4.6 million to settle his lawsuit for being falsely accused.

### Ivins' Convenient Death

It is convenient for the FBI that Ivins died.

The Wall Street Journal [points out](#):

No autopsy was performed [on Ivins], and there was no suicide note.

Indeed, one of Ivins' colleagues at Ft. Deitrich [thinks he was murdered](#).

Whether murder or suicide, Ivins' death was very convenient for the FBI, as dead men can't easily defend themselves.

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